

Agency Correspondence

Project No. N/A Des. No. N/A

Project Description US 31 Corridor Improvements Plymouth to South Bend
Environmental Impact Statement preparation


Name of Organization requesting early coordination:

Bernardin, Lochmueller & Associates, Inc.

QUESTIONNAIRE FOR THE INDIANA GEOLOGICAL SURVEY

- 1) Do unusual and/or problem () geographic, (X) geological, () geophysical, or () topographic features exist within the project limits? Describe:
Wetlands and Maxinkukee Moraine have been addresses in the report
- 2) Have existing or potential mineral resources been identified in this area? Describe:
NO
- 3) Are there any active or abandoned mineral resources extraction sites located nearby? Describe: NO

This information was furnished by:

Name: Marni Lynne Dickson  Title: Geologist
Address: 611 N Walnut Grove, Bloomington, IN 47404
Phone/Fax: (812)855-1366 / (812) 855-2862
Email: mldickso@indiana.edu
Date: 01/14/04

JAN 29 2004



U.S. Department
of Transportation

Federal Transit Administration
Region V
200 West Adams St., Suite 320
Chicago, IL 60606-5253

Federal Highway Administration
Indiana Division
575 N. Pennsylvania St., Rm 254
Indianapolis, IN 46204-1576

NOV 14 2003

Mrs. Vaneeta Kumar
Deputy Commissioner
Office of Planning and
Intermodal Transportation
Indiana Department of Transportation
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204

Attention: Mrs. Janice Osadczuk, Chief
Environment, Planning & Engineering Division

Subject: Conformity Finding on MACOG FY 2004-06 Transportation Improvement
Program (TIP)

Dear Mrs. Kumar:

The Federal Highway Administration (FHWA) and the Region 5 Federal Transit Administration (FTA) have reviewed the Michiana Area Council of Governments (MACOG) FY 2004-06 Transportation Improvement Program (TIP). The MACOG Policy Board approved the TIP by resolution on July 9, 2003.

The MACOG area (which consists of St. Joseph and Elkhart Counties in Indiana) is a maintenance area for the 1-hour ozone standard. There are five primary criteria of the conformity rule (62FR43779) that must be met. These criteria include the following: use of the latest planning assumptions, use of the latest emissions model, use of appropriate consultation procedures, consistency with the mobile source emission budget in the State Implementation Plan (SIP), and provisions for timely implementation of transportation control measures in the SIP.

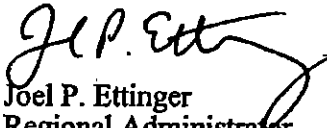
The Indiana Department of Transportation (INDOT), the Department of Environmental Management (IDEM) and the Region 5 US Environmental Protection Agency (USEPA) had an opportunity to comment on MACOG' FY 2004-06 TIP. One area of concern that was expressed by IDEM, with respect to the 1999 Memorandum of Understanding (MOU) concerning Process and Procedures for the Coordination of Transportation and Transportation Related Air Quality Planning, was the provision of the MOU that requires the timely circulation and review of draft planning documents prior to formal consultation.

FHWA and FTA encourage the MPO to provide these draft documents in a more timely fashion in the future. Although the federal consultation process had to be delayed as a result of a delay in submitting the draft planning documents, the consultation parties did find the TIP to meet the above conformity requirements.

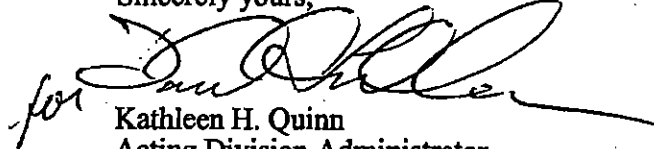
FHWA and FTA find the FY 2004-06 TIP conforms with the adopted SIP in accordance with the provisions of 40 CFR 51. In addition, the FHWA and FTA find the TIP was developed based on a continuing, cooperative, and comprehensive transportation planning process in accordance with 23 USC 134 and 23 CFR 450 and is acceptable for inclusion into the Indiana Statewide Transportation Improvement Program.

If you have any questions, please contact David Franklin at 317-226-7489 or Douglas Gerleman at 312-886-1621.

Sincerely yours,


Joel P. Ettinger
Regional Administrator
Federal Transit Administration

Sincerely yours,


for Kathleen H. Quinn
Acting Division Administrator
Federal Highway Administration

cc:

Vaneeta Kumar, INDOT IGCN 755
Sandra Seanor, MACOG MPO
Janice Osadczuk, INDOT IGCN 848
Dave Holtz, INDOT IGCN 808
Victor Austin, R-5 FTA
Patricia Morris, USEPA Region 5
Scott Deloney, IDEM
Matt Frazer, INDOT IGCN 848
April Schwering, INDOT IGCN 749
Jerry Halperin, INDOT IGCN 926
IN D/O Planning Library w/ TP
IN D/O Planning Library w/ FY 2004-06 TIP
File 731.04
DAFranklin:jaw
EF:SGMACOG2004-06TIP.JEN



Indiana Department of Natural Resources

Frank O'Bannon, Governor
John Goss, Director

July 1, 2003

Kia Gillette
Bernardin-Lochmueller
7830 Rockville Rd. Ste. C
Indianapolis, IN 46214-3105

RECEIVED
JUL 07 2003
BLA-INDY

Dear Ms. Gillette,

Attached you will find a list of the landowners with Classified Wildlife Habitat property potentially affected by the 31 bypass project and their location on plat maps. I hope this is what you needed. If not please let me know and I will do what I can to help. If you have any questions or comment, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "L K Byer", is written over the typed name.

Linda K. Byer
District 2 Biologist
Kankakee FWA
P.O. Box 77
North Judson, IN 46366
(574) 896-3572
lbyer@dnr.state.in.us

Classified Wildlife Habitat areas in St. Joseph county in bypass project.

✓ Freehauf Corp. / Harold Freehauf 30.9 acres in two tracts
19528 Shively Rd.
Lakeville, In 46536

✓ Robert W. Wolfe 63.7 acres in two tracts
1204 E. Jefferson Apt. C
LaPorte, In 46350

✓ Lamonie Carter Estate 40.4 acres
19444 Detroit Ave.
South Bend, IN 46614

✓ Albert Gostola 48.91 acres
62650 Oak Rd.
South bend, IN 46614

✓ John Davis 36.6 acres
66301 Oak Rd.
Lakeville, IN 46536

✓ Lee Ewing 17 acres
22012 W. Ireland
South Bend, IN 46614

✓ Dennis Schafer 15 acres
65300 Maple Rd.
Lakeville, IN 46536

✓ Patricia M. Walz 15 acres
19591 Roosevelt Rd.
South Bend, IN 46614

✓ John Deak 17.6 acres
21401 Madison Rd.
South Bend, IN 46614

✓ Mary Shafer 19.2 acres
21900 Shively Rd.
Lakeville, IN 46536

continue

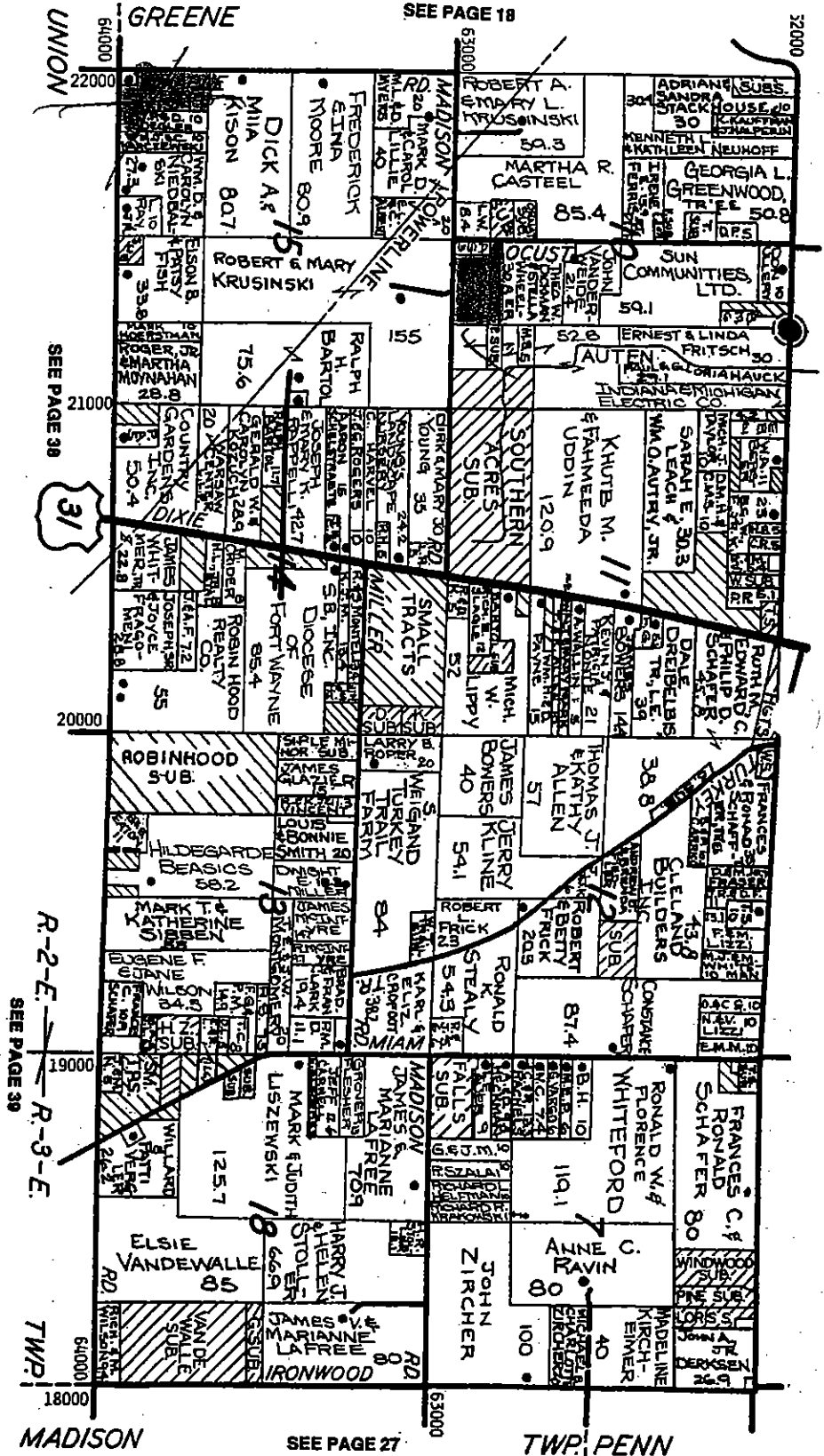
✓ ~~Curtis Crofoot~~ 24.37 acres
✓ ~~Suzanne Crofoot~~ 24.37 acres
22333 St Rd. 4
Lakeville, IN 46536

✓ ~~Lorraine Fuchs~~ 27.5 acres
21451 St. Rd. 4
Lakeville, IN 46536

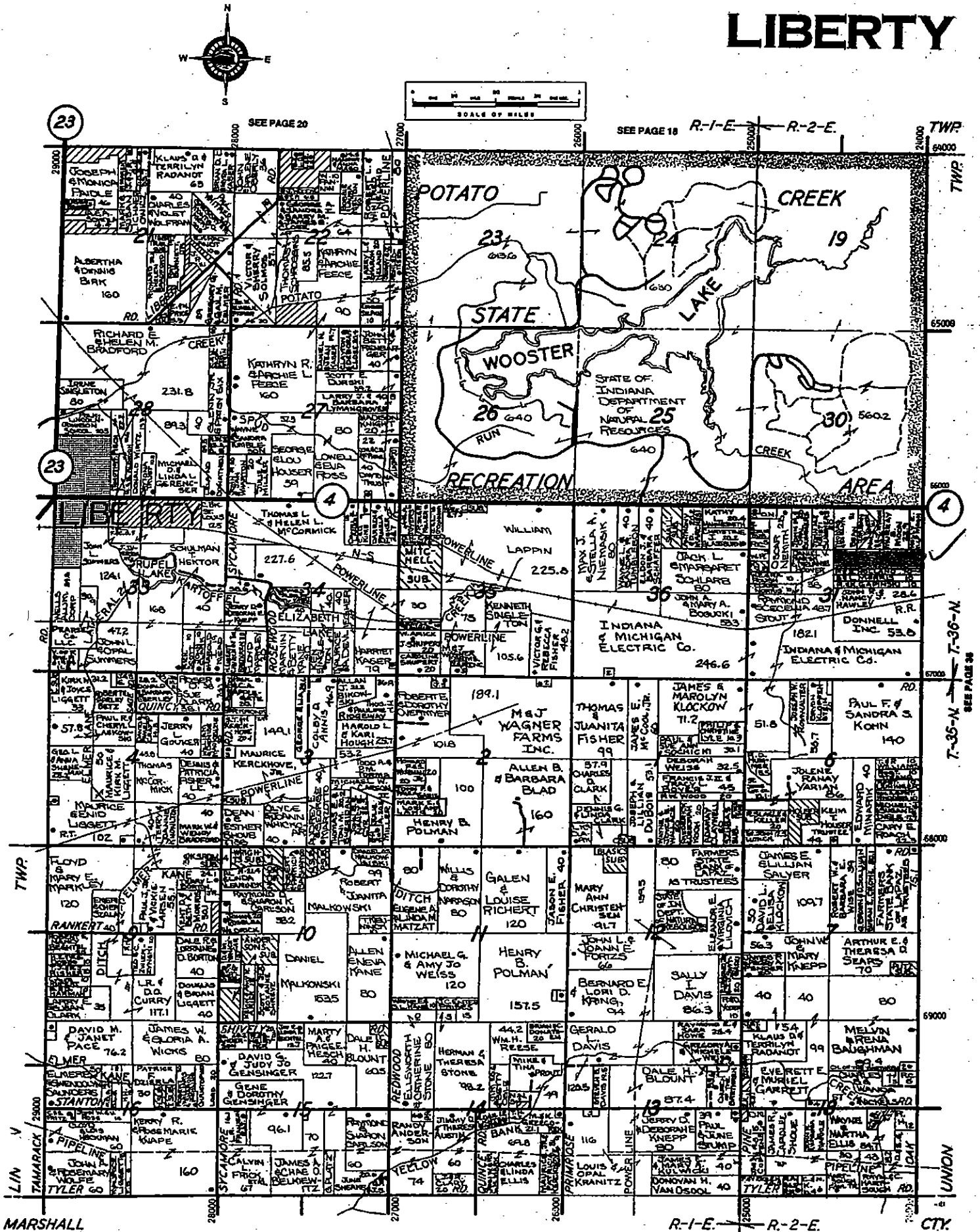


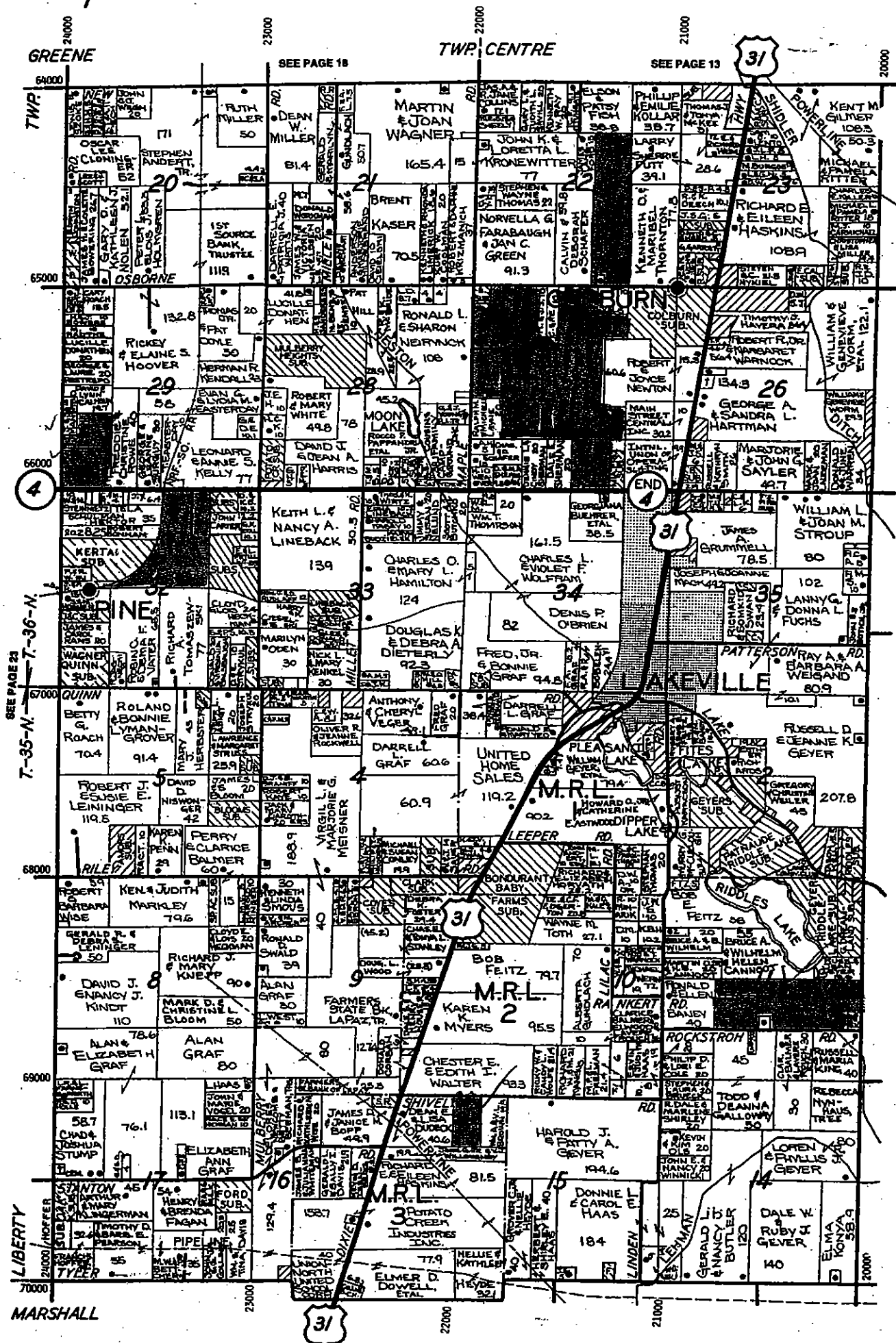
922 E. Jefferson Blvd. • South Bend, IN 46617

S. JOSEPH Co. CENTRE Twp



LIBERTY



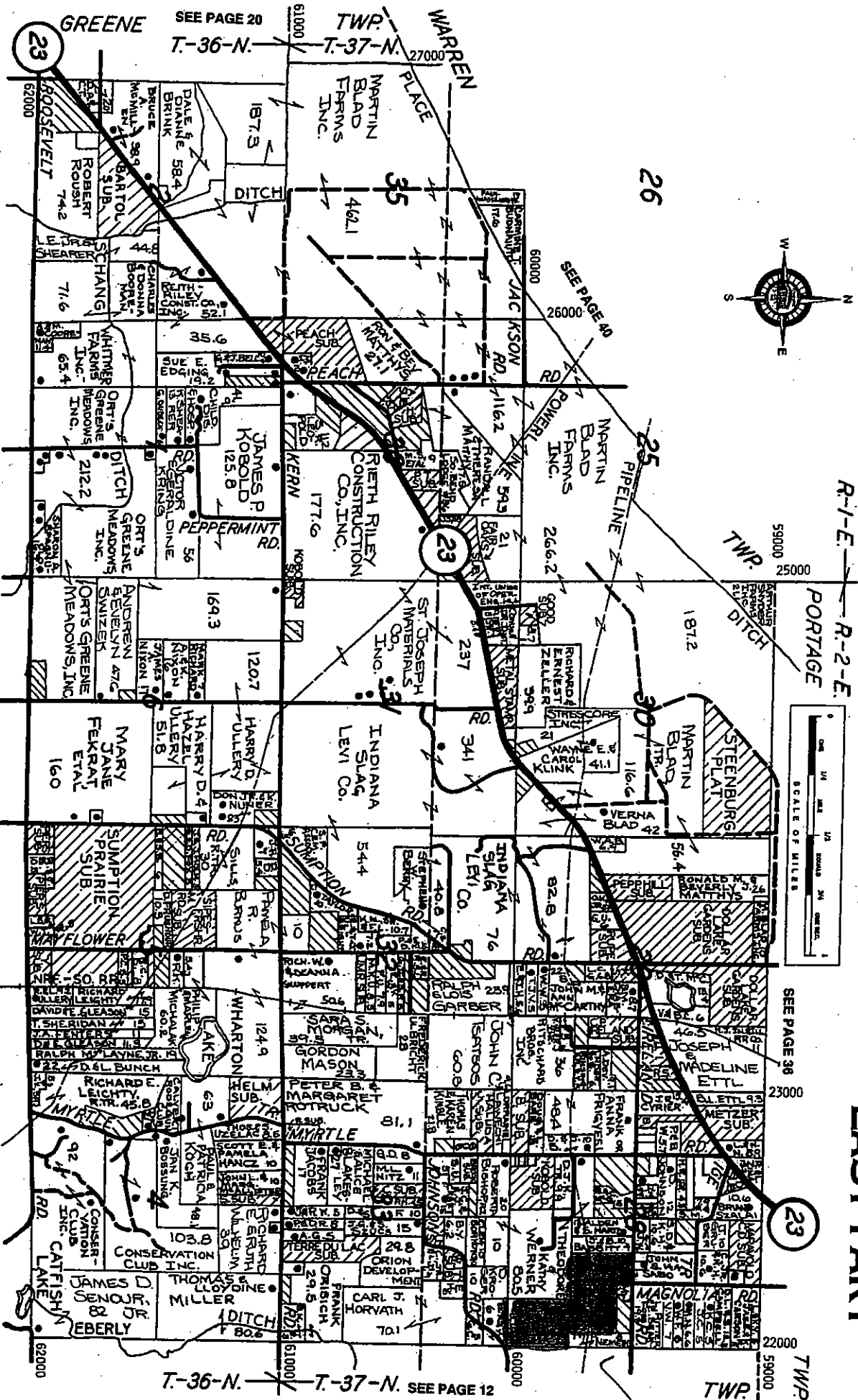


TOWNSHIP 36-37 N.
RANGE 1-2 E.

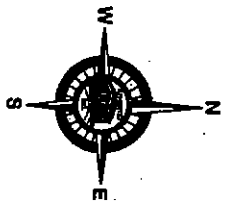
St. Joseph Co.

GREENE

EAST PART

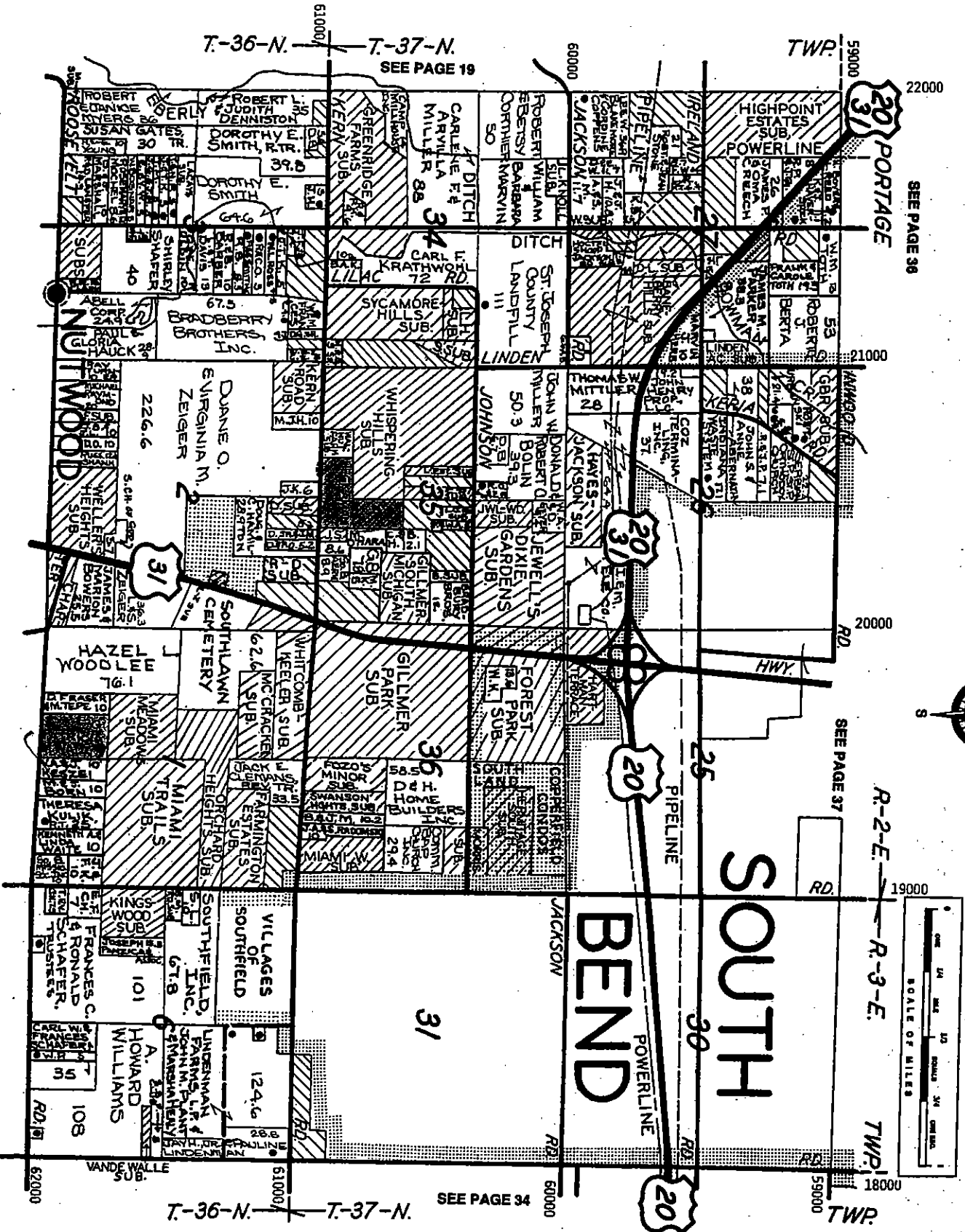


TOWNSHIP 36-37 N. RANGE 2-3 E.



St. Joseph Co.

CENTRE





Indiana Department of Natural Resources

Frank O'Bannon, Governor
~~Lester B. Mackin, Director~~

Tim J. Eizinger
District Forester
PO Box 824
Rochester, IN 46975
(219-223-4241)
email: disfor2@rtcol.com

RECEIVED

JUL 01 2003

BLA-INDY

June 27, 2003

Hi:

Luckily, it looks like there are only 3 Classified Forest in this proposed Marshall County area from Plymouth north. I have drawn arrows to the area where they exist and labeled them as such.

Ignore the other circles as I was simply circling section number centers to relate to my maps.

If there is anything else you need, please feel free to ask.

Tim J. Eizinger
District Forester



IN REPLY/REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES)

620 South Walker Street

Bloomington, Indiana 47403-2121

(812) 334-4261 FAX 334-4273

May 2, 2002

RECEIVED FHWA
MAY - 6 02
INDIANA DIVISION

Mr. Robert Dirks
Environmental Specialist
Federal Highway Administration
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

Dear Mr. Dirks:

This is in reference to the March 26, 2002 Federal Register Notice of Intent to Prepare an Environmental Impact Statement for improvements to US 31 in Marshall and St. Joseph Counties, Indiana. The U.S. Fish and Wildlife Service (FWS) offers the following comments.

The FWS previously provided early coordination comments on the Major Investment Study for the US 31 Corridor by letter of November 25, 1996. That letter provided general comments about the presence of numerous wetlands within the proposed project area and expressed our concerns about potential impacts to these wetlands. These concerns remain for the current project. We are aware that there are additional wetlands to those shown on the FWS's National Wetlands Inventory (NWI) maps because wetlands have been restored in the area under our Partners for Fish and Wildlife Program and the Department of Agriculture's Wetland Reserve Program. The NWI maps were based upon 1980 aerial photography and were not ground-truthed, but they do provide a basis for determining the locations of wetlands. Actual locations and sizes will have to be determined by site inspections and delineations.

The U.S. Fish and Wildlife Service will request mitigation for wetland losses; mitigation ratios for the loss of forested wetland is 4:1 and 2: or 3:1 for emergent and scrub-shrub wetlands. The U.S. Army Corps of Engineers, Detroit District, will have to determine whether or not a Section 404 permit would be required for the filling of wetlands due to the highway project. However, the Federal Highway Administration has an obligation to minimize the destruction, loss or degradation of wetlands pursuant to Executive Order 11990, as amended by Executive Order 12608, concerning protection of wetlands, regardless of the need for a wetland fill permit.

Executive Order 13186, issued on January 10, 2001, directs each Federal agency taking actions having or likely to have a negative impact on migratory bird populations to work with the FWS to develop an agreement to conserve those birds. In addition to avoiding or minimizing impacts to migratory bird populations, agencies will be expected to take reasonable steps that include restoring and enhancing habitat and incorporating migratory bird conservation into agency planning processes whenever possible. Therefore, the Environmental Impact Statement you are preparing will need to address this issue.

2.

Staff at our Northern Indiana Suboffice is available to attend the interagency meetings provided for under Indiana's Streamlined EIS Procedures and to provide early coordination comments on the proposal. Please address correspondence to Mrs. Elizabeth McCloskey, Northern Indiana Suboffice, P.O. Box 2616, Chesterton, Indiana 46304, phone (219) 983-9753.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (Myotis sodalis) and the threatened bald eagle (Haliaeetus leucocephalus) and northern copperbelly water snake (Nerodia erythrogaster neglecta). Bald eagles may occasionally be found at area lakes during winter months, but there is no specific habitat available for them in the project area. Copperbelly water snakes utilize forested and scrub-shrub wetlands with adjacent forested uplands. The northern copperbelly is not currently known within the vicinity of US 31, but there is a possibility that it might be present in suitable habitats.

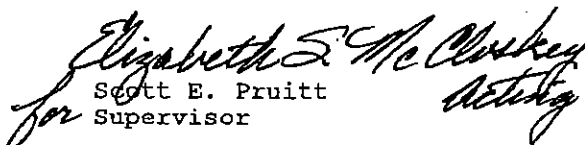
To our knowledge there have been no recent surveys for Indiana bats within the project study area. Summer habitat for this species consists of medium to large expanses of wooded land associated with water resources. The nearest recent record is from Potato Creek State Park west of Lakeville. However, based upon a map survey, it appears that sufficient habitat may be present to support a summer reproductive colony at some locations within the study boundaries.

St. Joseph and Marshall counties are within the range of the Eastern massasauga rattlesnake (Sistrurus catenatus catenatus), which has been listed as a Candidate species for listing as threatened or endangered under the Endangered Species Act (Act). Candidate species are those for which sufficient information on their biological status exists to warrant listing, but for which listing has not yet occurred. The most recent report of this species in the project area is near Lakeville.

The project study area is also within the range of the following Species of Concern being considered for listing as threatened or endangered: Black tern (Chlidonias niger) and Blanding's turtle (Emydoidea blandingii). These species live or breed within wetlands such as those found throughout the project study area. Black terns have not been observed to nest within the area for many years but they migrate through. Blanding's turtles have been observed at various wetlands in the general Lakeville area. These species are not afforded legal protection under the authorities of the Act; however, the FWS encourages consideration of these species in project planning because there is general concern among resource agencies for their status.

We appreciate the opportunity to provide input during this environmental scoping process. If you have any questions about our comments, please call Elizabeth McCloskey at (219) 983-9753.

Sincerely yours,


Scott E. Pruitt
for Supervisor

cc: Regional Director, FWS, Ft. Snelling, MN (TE/HC) (ER 02/0313)



U.S. Department
of Transportation

Federal Transit Administration Region V 200 West Adams St., Suite 320 Chicago, IL 60606-5253 312-353-2789 312-886-0351 (fax)	Federal Highway Administration IN Division 575 N. Pennsylvania St., Rm 254 Indianapolis, IN 46204-1576
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APR 22 2003

Mrs. Vaneeta Kumar
Deputy Commissioner
Planning and Intermodal Transportation
Indiana Department of Transportation
100 North Senate Avenue, Room N755
Indianapolis, IN 46204

Attention: Mr. Matt Frazer

Dear Mrs. Kumar:

Subject: Conformity Finding – Amendments to MACOG 2025 Transportation Plan and
FY2003-2005 Transportation Improvement Program

The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) have reviewed the amendments to the Michiana Area Council of Governments (MACOG) 2025 Transportation Plan and FY2003-2005 Transportation Improvement Program (TIP). On February 12, 2003, the MAGOG Policy Board approved these actions by resolutions 05-03 (plan) and 04-03 (TIP).

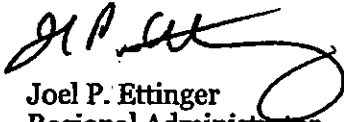
The South Bend area (which consists of St. Joseph and Elkhart Counties in Indiana) is a maintenance area for ozone. There are five primary criteria of the conformity rule (62FR43779), which must be met. These criteria include the following: use of the latest planning assumptions, use of the latest emissions model, use of appropriate consultation procedures, consistency with the mobile source emissions budget in the State Implementation Plan (SIP), and provisions for timely implementation of transportation control measures in the SIP.

The Indiana Department of Environmental Management (IDEM) and US Environmental Protection Agency Region 5 (USEPA) have found the 2025 Transportation Plan Update meets the above conformity requirements. We have also received INDOT's March 25 letter of agreement. Please be aware that USEPA noted the MOBILE6 model will need to be used in all conformity analyses after the grace period ends on January 29, 2004.

FHWA and FTA have determined that the amendments to the MACOG 2025 Transportation Plan and FY2003-2005 TIP conform with the adopted State Implementation Plan (SIP) in accordance with the provisions of 40 CFR 51. In addition, the FHWA and FTA find these actions were developed based on a continuing, cooperative, and comprehensive transportation planning process in accordance with 23 USC 134 and 23 CFR 450.

If you or any member of your staff has any questions, please contact Clem Ligocki of FHWA, at (317) 226-7489, or Victor Austin of FTA, at (312) 886-1625.

Sincerely yours,



Joel P. Ettinger
Regional Administrator
Federal Transit Administration

Sincerely yours,



John R. Baxter, P.E.
Division Administrator
Federal Highway Administration

cc:

Vaneeta Kumar, INDOT IGC-N755
Janice Osadczuk, INDOT IGC-N848
Sandra Seanor, MACOG
Victor Austin, FTA Region 5
Andy Minyo, FTA Region 5
Patricia Morris, USEPA Region 5
Scott Deloney, IDEM IGC-N1001
Steve Smith, INDOT IGC-N901
Larry Buckel, INDOT IGC-N901
Carter Keith, INDOT Rm. IGC-N926

File 731.12

CALigocki:

EF:MACOG conf find on amds to 2025 plan
& 03-05 TIP-3-28-03

Early Coordination



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

October 9, 2003

Mr. Carl Camacho, Project Manager
Bernardin-Lochmueller & Associates, Inc.
6200 Vogel Road
Evansville, IN 47715-4006

Re: Early Coordination Comments on the US 31, Plymouth to South Bend, Highway Improvement Project

Dear Mr. Camacho:

Thank you for the opportunity to review and comment on the U.S. 31 Plymouth to South Bend Preliminary Alternatives Analysis and Screening Report that describes the four (4) alternatives being recommended for further study in the Draft Environmental Impact Statement for this project. We understand the deadline for commenting on this report is October 19, 2003.

We are aware that the proposed improvements to this 21-mile stretch of US 31 are part of INDOT's long-range statewide plan to improve "Statewide Mobility Corridors." We also understand that the four (4) alternatives recommended for further study were selected from the ten (10) alternatives that met the transportation objectives (Purpose and Need) of the project: to reduce congestion, improve safety, and be consistent with INDOT's aforementioned long-range plan.

We note the following about the cost, and impact to wetlands, of the four (4) alternatives selected for evaluation in the draft Environmental Impact Statement:

Alternative C:	\$245 million	85 acres of wetlands impacted
Alternative E:	\$266 million	82 acres of wetlands impacted
Alternative F:	\$313 million	57 acres of wetlands impacted
Alternative G:	\$283 million	43 acres of wetlands impacted

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BLA

We further note that Alternatives C and E would impact the greatest number of wetland acres of any of the ten (10) alternatives meeting the Purpose and Need of this project. Therefore, IDEM staff is most supportive of Alternative G as the preferred alternative, because of its lesser impacts on wetlands. Regardless of the selected alternative, INDOT is strongly urged to work with IDEM staff to mitigate as effectively as possible whatever impacts to wetlands are caused by this project.

It is our understanding that Alternative J was not selected for further study because of the relatively higher costs and number of relocations. Alternative J impacts the least amount of wetlands because it would use the greatest segment of existing US 31 right-of-way. It also impacts fewer acres of forest, fewer total acres of farmlands, fewer managed lands, fewer notable wildlife habitats, and fewer streams than any of the four alternatives selected for further study. We support further consideration of that option if other factors can be overcome.

As with all INDOT Early Coordination efforts, IDEM staff remain available to coordinate permit applications and conduct any needed additional reviews. We appreciate the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Method", is written over a horizontal line.

Timothy J. Method
Deputy Commissioner

TM: dp

CC: Mrs. Janice Osadezuk, INDOT
Ms. Christine Baynes, INDOT Project Manager
Mr. Tony DeSimone, FHwy



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO:

SEP 10 2002

Planning Division
Environmental Analysis Branch

RECEIVED

SEP 12 2002

BLA-INDY

Mr. Jay Marks, Project Manager
Bernardin, Lochmueller & Associates, Inc.
7830 Rockville Road, Suite C
Indianapolis, Indiana 46214-3105

Dear Mr. Marks:

We are writing in response to your July 24, 2002, request for early coordination comments on the proposal to improve the U.S. 31 corridor through Marshall and St. Joseph Counties in Indiana. The project reach extends from U.S. 30 near Plymouth, Indiana, to U.S. 20 near South Bend, Indiana. In accordance with our responsibilities, the following comments are provided under our civil works/floodplain management program and our regulatory program.

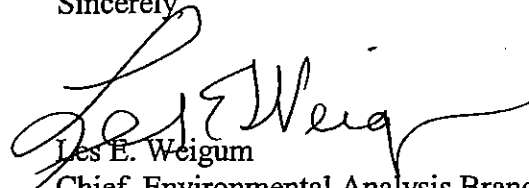
Our civil works program does not include any current or future plans to develop waterways in the vicinity of your project; nor do we have any current or proposed flood control studies for the area described in your letter. Our Floodplain Manager notes that the unincorporated areas of Marshall and St. Joseph Counties, Indiana, participate in the Regular Phase of the National Flood Insurance Program (NFIP). Flood elevations for waterways in the project vicinity are delineated on the applicable NFIP Flood Insurance Rate Map. Since U.S. 31 crosses the Yellow River in Marshall County, we recommend you coordinate with local officials and with the Indiana Department of Natural Resources regarding the applicability of a floodplain permit prior to construction. This coordination would help insure compliance with local and state floodplain management regulations and acts, such as the Indiana Flood Control Act (IC 13-2-22). If you obtain any information that your project would in fact impact the flood plain, you should consider other sites. This would be consistent with current Federal policy to formulate projects that, to the extent possible, avoid or minimize adverse impacts associated with use of the floodplain.

Our Regulatory Office has reviewed your proposal for regulatory compliance pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. The following comments are a preliminary review and do not represent a comprehensive public interest review such as would occur during the permit application evaluation process. We note that throughout the proposed project corridor there are numerous wetlands, lakes, and streams within the jurisdiction of our regulatory program. Any discharges of dredged and/or fill material into these waters of the United States will require our prior authorization. Our regulatory personnel can visit the site and determine the amount of regulated resources within

the project limits once a preferred alignment for the proposed roadway project has been selected. To schedule such a wetland determination site visit, please call our Regulatory Office at 313-226-6812. If discharges into Corps regulated resources are anticipated, the attached permit application (Enclosure) should be completed and returned to the attention of our Regulatory Office with reference to file number 02-150-007-0.

We appreciate the opportunity to comment upon your project proposal. Any questions regarding our civil works/floodplain management program should be directed to Mr. Charlie Uhlarik, Planning Branch, at 313-226-6753. Questions regarding our regulatory program should be directed to Mr. Robert Tucker, Chief, Enforcement Branch, Regulatory Office, at 313-226-6812. Other environmental review questions may be directed to Mr. Paul Allerding at 313-226-7590.

Sincerely,


Les E. Weigum
Chief, Environmental Analysis Branch

Enclosure

**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)****OMB APPROVAL NO. 0710-003**

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, Searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States; the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. 02-150-007-0	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME & TITLE (an agent is not required)
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business	10. AGENT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE_____
DATE**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME OR TITLE (see instructions)	
13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable)
15. LOCATION OF PROJECT COUNTY _____ STATE _____	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)	
17. DIRECTIONS TO THE SITE	

18. NATURE OF ACTIVITY (Description of project, include all features)

19. PROJECT PURPOSE (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. REASON(S) FOR DISCHARGE

21. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS

22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED (see instructions)

23. IS ANY PORTION OF THE WORK ALREADY COMPLETE? YES ☐ NO ☒ IF YES, DESCRIBE THE WORK

24. ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, ETC. WHOSE PROPERTY ADJOINS THE WATERBODY (If more than can be entered here, please attach a supplemental list)

25. LIST OF OTHER CERTIFICATIONS OR APPROVALS/DENIALS RECEIVED FROM OTHER FEDERAL, STATE, OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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* Would include but is not restricted to zoning, building and flood plain permits.

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Instructions For Preparing A Department of the Army Permit Application

Blocks 1 thru 4 - To be completed by Corps of Engineers.

Block 5 - APPLICANT'S NAME. Enter the name of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked "Block 5".

Block 6 - ADDRESS OF APPLICANT. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked "Block 6".

Block 7 - APPLICANT PHONE NUMBERS. Please provide the number where you can usually be reached during normal business hours.

Block 8 - AUTHORIZED AGENT'S NAME AND TITLE. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer or any other person or organization. Note: An agent is not required.

Blocks 9 and 10 - AGENT'S ADDRESS AND TELEPHONE NUMBER. Please provide the complete mailing address of the agent, along with the telephone number where he/she can be reached during normal business hours.

Block 11 - STATEMENT OF AUTHORIZATION. To be completed by applicant if an agent is to be employed.

Block 12 - PROPOSED PROJECT NAME OR TITLE. Please provide name identifying the proposed project (i.e., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center).

Block 13 - NAME OF WATERBODY. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14 - PROPOSED PROJECT STREET ADDRESS. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15 - LOCATION OF PROPOSED PROJECT. Enter the county and state where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked "Block 15".

Block 16 - OTHER LOCATION DESCRIPTIONS. If available, provide the Section, Township, and Range of the site and/or the latitude and longitude. You may also provide a description of the proposed project location, such as lot numbers or tract numbers. You may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile down from the Highway 14 Bridge). If a large river or stream, include the river mile of the proposed project site, if known.

Block 17 - DIRECTIONS TO THE SITE. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site.

Block 18 - NATURE OF ACTIVITY. Describe the overall activity or project. Give approximate dimensions of structures such as wingwalls, dikes, (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked "Block 18".

Block 19 - PROPOSED PROJECT PURPOSE. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Block 20 - REASONS FOR DISCHARGE. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Instructions For Preparing A Department of the Army Permit Application

Block 21 - TYPES OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS.

Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22 - SURFACE AREAS OF WETLANDS OR OTHER WATERS FILLED. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked "Block 22".

Block 23 - IS ANY PORTION OF THE WORK ALREADY COMPLETE? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization if possible.

Block 24 - NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, etc., WHOSE PROPERTY ADJOINS THE PROJECT SITE. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked "Block 24".

Block 25 - INFORMATION ABOUT APPROVALS OR DENIALS BY OTHER AGENCIES. You may need the approval of other Federal, State, or Local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 26 - SIGNATURE OF APPLICANT OR AGENT. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS - GENERAL INFORMATION

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View, or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on an 8.5 X 11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate and contain all necessary information.

**Questionnaire for the Indiana Department of Transportation,
Aeronautics Section**

Project No: _____ **Des/Bridge No:** _____

Project Description:

US 31 Corridor from US 30 near Plymouth, IN to US 20 near South
Bend, in Marshall and St. Joeph Counties

Requested By:

Bernadin, Lochmueller, & Associates

Are there any existing or proposed airports within or near the project limits? YES

If yes, describe any potential conflicts with air traffic during or after the construction of the project.

The Plymouth Municipal Airport is located 4041 feet West of US
31 at a point that is approximately one mile North of US 30.

This project may have an impact on air operations at the
Plymouth Municipal Airport depending on the height of equipment
used. Please continue to send correspondence to INDOT
Aeronautics Regarding this project.

This information was furnished by:

Name: Martin J. Blake
Title: Project Manager, INDOT-Aeronautics
Date:

193-0043

879

Project No. DES # 9405230 Bridge No. _____Project Description U.S. 31 Corridor Study
Plymouth to South Bend (Marshall & St. Joseph Counties)

Name of Organization requesting early coordination:

Indiana Department of TransportationQUESTIONNAIRE FOR THE INDIANA GEOLOGICAL SURVEY

- 1) Do unusual and/or problem () geographic, (X) geological, () geo-physical, or () topographic features exist within the project limits? Describe: The Environmental Overview address the most significant geologic concerns: wetlands* and bogs, and closed depressions underlain by muck and peat.
- 2) Have existing or potential mineral resources been identified in this area? Describe: The mineral resources sand, gravel, peat, marl, and gypsom are referenced in the report.
- 3) Are there any active or abandoned mineral resources extraction sites located nearby? Describe: As mentioned in the report Option #3 goes through a quarry. No other major works were noted on the USGS 7.5 minute quadrangles.

*It would seem that on the basis of the expressed benefits of wetlands to mankind the new roadway would follow the existing course rather than opt for an alternate that would destroy additional wetlands.

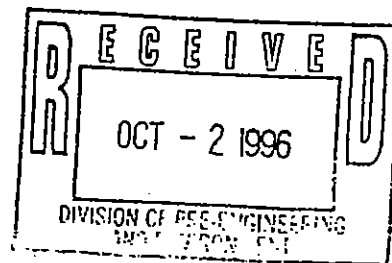
This information was furnished by:

Name: Edwin J. Hartke Title: GeologistDate: Sept 27, 1996

RECEIVED

OCT 09 1996

BLA



Purpose and Need



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES)

620 South Walker Street
Bloomington, Indiana 47403-2121
(812) 334-4261 FAX 334-4273

June 27, 2003

RECEIVED

JUN 30 2003

BLANDY

Mr. Jay Marks
Bernardin Lochmueller & Associates, Inc.
7830 Rockville Road
Indianapolis, Indiana 46214-3105

Project Des. No: 9405230
Road(s): US 31
Waterway: Several
Work Type: 4-lane highway construction on new alignment
County(ies): Marshall and St. Joseph

Dear Mr. Marks:

This letter is in reference to the Interagency Review Meeting and Tour of the US 31 study corridor between US 30 in Marshall County and US 20 in St. Joseph County on May 15, 2003. You requested any additional Agency comments on the draft Purpose and Need and Alternatives discussed at the meeting.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The draft Purpose and Need statement lists 3 purposes: 1) reduce congestion, 2) improve safety, 3) address statewide mobility. The limited information provided on the meaning of a "Statewide Mobility Corridor" and a "Commerce Corridor" indicates that "such corridors have upper level design standards, high-speed and free-flowing conditions, no less than partial access control, and no non-motorized vehicle/pedestrian conflicts". This appears to be redundant with the first 2 purposes of reducing congestion and improving safety. Since US 31 is already designated a "Statewide Mobility Corridor" and a "Commerce Corridor", properly attaining the requirements of this designation may be a sufficient purpose and need, since safety and reduced congestion are an integral part of that designation.

If commuters to South Bend are major users of US 31, a study of origins and destinations should be undertaken to help determine which alternative would best serve their needs; e.g. if they are going downtown or north through town to the University of Notre Dame, constructing the new highway far to the west or far to the east likely would not serve their needs and they would continue to use the existing roadway. The same determination should be conducted for truck traffic, since trucks headed for destinations in Michigan or Elkhart would have different needs to each other and to those going into South Bend.

We understand that 2 additional alternatives have been added to the project study as a result of the May 15, 2003 meeting, one utilizing the general corridor of high tension powerlines west of existing US 31 and one utilizing the abandoned railroad corridor east and west of existing US 31 to the fullest extent possible.

There also need to be one or more alternatives that would connect with US 20 at the existing Ironwood Road interchange. The current lack of any alternatives utilizing this interchange is glaring in its omission. When there was a query during the May 15th tour about the potential use of Ironwood Road as an alternative, the answer was "No, due to significant development in the area". Such a response is unacceptable when the environmental impact analysis has only just begun and a large number of alternatives need to be reviewed without prejudice. If "too much development" is a legitimate reason to dismiss an alternative before it is even seriously evaluated, then the majority of the alternatives presented at the May 15th meeting would also need to be dismissed immediately, particularly those utilizing any portion of existing US 31 north of Roosevelt Road, including the existing US 31/US 20 interchange.

An advantage to commuters to utilizing Ironwood Road is that it is already 4 or 5 lanes north into South Bend from US 20, it provides direct access to Indiana University South Bend, and it provides easy access to downtown and the University of Notre Dame.

We also recommend consideration of an alternative that departs from existing US 31 further south and east than West 4A Road, such as near West 6th Road and Lilac Road, then goes essentially straight north before turning northeast around Pleasant and Riddles Lakes. From there it could follow Alternative G to Roosevelt Road, where it could go west to existing US 31 or east to Ironwood Road.

Based upon the preliminary information available to us, the U.S. Fish and Wildlife Service does not support the use of Alternative A, generally parallel to existing Oak Road. This is due to significant natural resources in the vicinity, as presented by the Indiana Department of Natural Resources personnel on May 15th, including Potato Creek State Park. In general, we do not favor any of the alternatives west of existing US 31 because of the natural resources in the area and the more rugged terrain, which would require significant cut-and-fill to construct the highway and its interchanges.

Other comments on the US 31 study corridors, including federally endangered species, remain as stated in our May 2, 2002 letter to the Federal Highway Administration concerning the Federal Register Notice of Intent to Prepare an Environmental Impact Statement.

We appreciate the opportunity to comment on this proposed project. If you have any questions about our comments and recommendations, please call Elizabeth McCloskey at (219) 983-9753.

Sincerely yours,

Elizabeth S. McCloskey
 Acting
 Scott E. Pruitt
 for Supervisor

cc: Matt Fuller, Federal Highway Administration, Indianapolis, IN
 Jason Randolph, IDEM, Office of Water Management, Indianapolis, IN
 Christie Kiefer, Indiana Division of Water, Indianapolis, IN
 Keith Poole, Indiana Division of Fish and Wildlife, Peru, IN
 Hank Huffman, Indiana Division of Nature Preserves, Indianapolis, IN
 Jim Webb, Potato Creek State Park, North Liberty, IN
 Steve Sperry, INDOT, Room N848, Indianapolis, IN
 Virginia Laszewski, USEPA, Region 5, ME-19J, Chicago, IL
 Charlie Simon, Corps of Engineers, Detroit, MI



DEPARTMENT OF THE ARMY

DETROIT DISTRICT, CORPS OF ENGINEERS

BOX 1027

DETROIT, MICHIGAN 48231-1027

201-0101-OED

June 10, 2003

IN REPLY REFER TO

Engineering & Technical Services
Regulatory Office
File No. 96-150-019-0

RECEIVED

JUN 13 2003

BLA

Kia Gillette
Bernardin, Lochmueller & Associates
7830 Roackville Road
Indianapolis, Indiana 46214-3105

Dear Ms. Gillette:

We are writing to follow up on the May 15, 2003 interagency meeting in Plymouth, Indiana. The purpose of the meeting was to discuss the purpose and need and preliminary alternatives for proposed improvements to US 31 between South Bend and Plymouth, Indiana. We have considered the information presented at the meeting, written materials forwarded to our office, and in-house resources.

In 1996, we reviewed similar information in response to a request for concurrence on purpose and need and alternatives to be carried forward. A copy of our previous letter is enclosed. The nine alternatives currently presented appear to be substantially the same as those identified in 1996. Our views on the project also follow along the lines of our previous comments. Based on the available information, we offer the following comments.

We concur with the purpose and need for the project with minor reservations. Our reservations center on whether the "statewide mobility corridor" is a legitimate project purpose. Is a "statewide mobility corridor" a planning goal, or are there required standards? As presented, the items mentioned already appear to be addressed by the purpose statements on congestion and safety. If there are standards characteristic of a statewide mobility corridor that are trying to be achieved, these should be clearly identified. Otherwise, this could be eliminated without losing the intent of the project.

There are wetlands, lakes and streams throughout the project area which may be within the jurisdiction of the Corps of Engineers. Many of the wetlands are concentrated in the northern portion of the project area. Notable wetlands are associated with the glacial features west of US 31 and north of Lakeville. The authority of the Corps of Engineers to regulate the discharge of dredged and/or fill material is contained in Section 404 of the Clean Water Act and regulations promulgated pursuant to that Act. Upon further refinement of alternatives, our staff can work with the applicant to identify those waters within Corps' jurisdiction. Any discharges of dredged or fill material into regulated waters of the U.S. would require a Department of the Army permit.

RECEIVED

JUN 20 2003

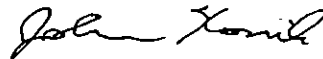
BLA

We have considered the preliminary alternatives presented. While a route through the southern part of the study area is not devoid of impacts, the northern portion has difficult social, environmental, and logistical challenges. We do not support carrying Alternative A forward due to its proximity to Potato Creek State Park. The route of Alternative B through the heart of the glacial moraine may also result in unacceptable adverse impacts. Based on previous information, Alternatives C and D appear to have a relatively large impact on wetlands compared to other options. As stated in our previous letter, exploring additional alternatives east of US 31 may be advisable to try and reduce impacts. No options are currently identified between Ironwood and IN 331, east of US 31.

As discussed at the recent meeting, some short-term improvements are currently being planned for US 31. If improvements are currently planned for US 31, this would establish a new baseline. Proposed alternatives should be compared to US 31 with improvements, rather than to US 31 in its current condition. We suggest that wetland delineations be completed when the number of alternatives is narrowed down, typically as part of a draft Environmental Impact Statement. Please keep us advised on the progress of your review.

If you have questions, please contact Charles M. Simon at the above address or telephone (313) 226-2221. Please refer to File Number: 96-150-019-0.

Sincerely,



John Konik
Chief, Permit Evaluation Branch A
Regulatory Office

Enclosure

Copy Furnished
South Bend Field Office



County of St. Joseph, Indiana
DEPARTMENT OF PUBLIC WORKS

732 COUNTY-CITY BUILDING
227 WEST JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601
TELE (574) 235-9626
FAX (574) 235-5057

DIVISIONS
HIGHWAYS
SOLID WASTE DISPOSAL
BRIDGES
ENVIRONMENTAL

April 10, 2003

BOARD OF COMMISSIONERS
MARK A. DOBSON DIST. 1
BEVERLY D. CRONE DIST. 2
CYNTHIA A. BODLE DIST. 3

TO: Jay Marks – Indianapolis Branch Manager
FROM: Susan D. Al-Abbas – St Joseph County Engineer
RE: US 31 Study comments

COUNTY-ENGINEER
SUSAN D. AL-ABBAS, P.E.
RECEIVED

MAY 02 2003

Question 1.

BLA-INDY

Based on current and future traffic on the 31 corridor, we believe that the purpose and need is not met by considering corridors to the far East or even too far West. When considering these proposed alternatives A-I, what consideration was given to the actual destination of the traffic on this corridor? We do not support the H and I alternatives and are concerned that A and B maybe too far to the west. Also, we are concerned that alternative A is too close to Potato Creek Park and that alternative C is located too close to the old County Landfill.

We prefer that the new route address the current need of the corridor-----not create a new problem and leave the current problem unaddressed. Thus, we believe that the new corridor should stay as close as possible to the existing 31 roadway. Alternatives C, D, E, F and G would accomplish this. But, before any of these corridors are considered further, we believe that the destination study must be completed, if not done so already, and consideration must be given to how each roadway segment would connect to the US 20 by-pass and other roadways. Furthermore, we would like the corridor to allow for future development of Lakeville. This can only occur if the new corridor is moved either east or west of the town.

Our greatest concern is satisfying the purpose and need of the corridor. Supporting traffic and improving safety issues for both State and Local traffic is the utmost importance. Once this roadway is relocated and built, we will become one of the responsible parties in caring for the old 31 roadway. Therefore, we will only support a corridor that addresses the needs.

Question 2.

Without knowing the environmental issues and destination information it is difficult to simply draw a line on a map.

April 25, 2003

RECEIVED

APR 28 2003

Bl A-1000

Mr. Jay Marks
Bernardin Lochmueller & Associates
7830 Rockville Road, Suite C
Indianapolis, IN 46214

Re: U.S. 31 Study
St. Joseph and Marshall Counties

Dear Mr. Marks:

The Transportation Task Force of The Chamber of Commerce of St. Joseph County met on April 24, 2003 to express our opinion on the U.S. 31 Study. The decision of the task force was to recommend that the alternatives be reduced to five, C thru G, for further study.

These five routes are the only routes that meet the performance measures of statewide mobility as proposed in the plan for the following reasons:

1. Routes that deviate from the existing route by several miles will leave significant traffic on the "old" U.S. 31 which will continue to fail the level of service standards.
2. Routes east of the existing U.S. 31 will fail to "provide safe, free-flowing, high speed connections between the metropolitan areas of the state and surrounding states." The "performance measure" of the "statewide mobility" component should provide for a high speed connection of U.S. 31 to the Indiana Toll Road and the Michigan segment of U.S. 31.
3. Routes A and B to the west of the existing U.S. 31 should be rejected because of significant "wetland" issues as well as the extra mileage for traffic coming from Mishawaka and Elkhart.

The task force recommends early narrowing of choices for several reasons:

1. Economic development over a significant area of the county is likely to be impacted by an overhang of uncertainty.
2. Individual landowners should know their status as soon as possible.
3. This process has already exceeded project time lines as initially proposed.

The Commerce Center

401 E. Colfax Ave. Suite 310

P.O. Box 1677

South Bend, IN 46634-1677

Phone: 219.234.0051

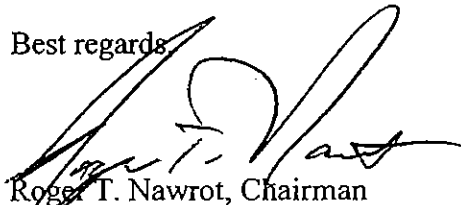
219.289.0358

www.sjchamber.org

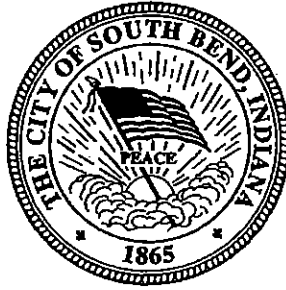
As you are aware, the local community has been unanimous in their support for moving forward on this project. The Purpose and Needs as presented are clear and easily support construction of this upgrade to freeway standards. The task force understands the process and time that is required to designate a route for approval by the federal government. However, we also understand that this process can be expedited when there is political agreement.

Considering the economic impact that this project will provide for our community and the state, it is our hope that you will make every effort to show progress in a timely manner. We would be pleased to provide additional information and support whenever necessary.

Best regards



Roger T. Nawrot, Chairman
Transportation Task Force



CITY OF SOUTH BEND
STEPHEN J. LUECKE, MAYOR
OFFICE OF THE MAYOR

RECEIVED

APR 28 2003

ELA-INDY

April 24, 2003

Mr. Jay Marks
Bernardin Lochmueller & Associates
7830 Rockville Road, Suite C
Indianapolis, Indiana 46214

Re: US 31 Freeway Study
St. Joseph and Marshall Counties

Dear Mr. Marks:

It was a pleasure to see you again on April 10, along with INDOT, and the many from the South Bend area who recognize the importance of a freeway from South Bend to Indianapolis. I was unable to attend the evening Purpose and Needs presentation. I wish to put these comments on the record for your consideration as you proceed with evaluation of the environmental impact of the alternatives and select a preferred route.

The Purpose and Needs presented for this project ring true locally as warrants for this project. Safety is listed second in the study, but the people of South Bend and in particular the people who live along the current US 31 view safety improvement as the most important need for this roadway. The map showing crashes on state highways is too densely marked with fatalities from LaPaz to Gilmer Park.

Morning and afternoon traffic on US 31, in Lakeville and onto the Saint Joseph Valley Parkway interchange currently operates at Level of Service E and F. Many years ago congestion was interpreted as a sign of vibrant activity. Like soot from a smokestack, congestion is now considered an indicator of poor planning and misdirected investment.

Statewide mobility is the basic tenet of the state highway system. The original network of state highways was drawn to connect all the county seats and larger towns with the Capitol via a state road. Routes were also chosen to connect to the routes planned by adjoining states. This

Mr. Jay Marks
April 24, 2003
Page 2

mobility is necessary for the economic vitality of all north central Indiana. Rational alignment with a substantially improved US31 in Michigan should be consistent with a recognition that US31 provides an interstate corridor from the Gulf of Mexico to Canada.

The comments heard at the kickoff meeting a year ago and at the public meetings concerning the major investment study in 1997 were unanimous in support of upgrading the corridor. We have also heard that the cloud of uncertainty arising during what seems like endless studies adversely affects decision-making for many in the corridor who need to either buy or sell, or to build or improve, along the corridor. The anxiety for a route decision spreads even to our City where a rebirth of the Ireland Road retail shopping corridor is underway.

The City of South Bend understands the difficulty of your task and INDOT's to provide a safe, uncongested road improving statewide mobility. There is a wide range of topography in the Marshall/Saint Joseph US 31 Corridor. There is a wide range of land use, and there is a wide range in population density. We will not offer advice as to a preferred route at LaPaz and Lakeville. However, at the north end of the corridor we definitely prefer that the US 31 Freeway connect to the Saint Joseph Valley Parkway as near as practical to the current interchange. Alternatives H and I defeat the Need and Purpose goal of Mobility. They add 4.3 miles and 8.7 miles, respectively, to the trip from LaPaz to the existing Parkway interchange with US 31. Alternative A passes through several environmentally sensitive areas. It also passes very close to one of the State Parks system's best used recreation areas (Potato Creek State Park). Traffic noise will detract from that experience. Alternative A will require a new interchange with the Parkway on valuable land used for mint, a rare cash crop that thrives in muck soils. Alternative B is also on and near environmentally sensitive land. Alternatives C thru G meet the Parkway at its existing interchange or within a mile or so. Any of these would satisfy the City's desire for a safe, direct access to the Ireland Road Corridor, now the Erskine Hills shopping district, a Sales Tax Increment Financing District.

We hope you are successful in discerning the best outcome for the State of Indiana. If you need more information from me or the City staff please let me know.

Sincerely,



Stephen J. Luecke
Mayor

Preliminary Alternatives



DEPARTMENT OF THE ARMY

DETROIT DISTRICT, CORPS OF ENGINEERS

BOX 1027

DETROIT, MICHIGAN 48231-1027

October 31, 2003

IN REPLY REFER TO

Engineering & Technical Services
Regulatory Office
File No. 96-150-019-0

RECEIVED
NOV 06 2003
BLA-INDY

Carl Camacho
Bernardin, Lochmueller & Associates, Inc.
7830 Rockville Road, Suite C
Indianapolis, Indiana 46214-3105

Dear Mr. Camacho:

We are writing to follow up on the September 30, 2003 interagency meeting in Lakeville, Indiana. The purpose of the meeting was to discuss preliminary alternatives for proposed improvements to US 31 between South Bend and Plymouth, Indiana. Based on information presented at the meeting, written materials forwarded to our office, and in-house resources, we offer the following comments.

Initial screening of alternatives was based on a determination of whether the work fulfilled the purpose and need. Since the purpose and need of the project is defined by transportation measures, traffic projections play a decisive role in determining which alternatives are carried forward. Origin/destination studies are valuable for determining the potential for trip diversion to various bypass alternatives. However, as we noted at the meeting, no origin/destination study has been completed for the project area.

For similar projects in our District, origin/destination studies have been part of the baseline data. In Michigan, several portions of US 31 have been the subject of review by the Department of Transportation (MDOT). The April 2003 Final Environmental Impact Statement (EIS) for the *Petoskey Area Improvement Study*, included data from four origin/destination studies. The October 1998 Draft EIS on *US 31 from I-196 in Allegan County North to I-96 in Muskegon County*, included origin/destination studies completed in 1986, 1993, and 1998. For the currently proposed section of US 31 between Plymouth and South Bend, the absence of specific information on motorist travel patterns and trip purposes (local versus regional) weakens the credibility of the alternatives selection process. We recommend that origin/destination studies be part of the supporting data for the currently proposed project between Plymouth and South Bend.

Local traffic data and a broader perspective on regional traffic issues would benefit alternatives development and analysis. We note that there are no base year or future traffic projection figures along the US 20 Bypass, although this is the major intersection at the north end

of the project. Other planned projects in the area should also be considered in developing US 31 alternatives. The Southtown Mall is being reconstructed on Ireland Road between Michigan Avenue and Ironwood. A study was also initiated to evaluate freeway alternatives for Capital Avenue/SR 331. Traffic from these and other planned changes should be coordinated with the alternatives development process as they would likely impact the proposed work.

We do not object to the elimination of Alternatives A, B, and D based on environmental reasons. However, at this time, the lack of supporting data limits our confidence in dismissing other alternatives based on purpose and need. In particular, we consider Alternative K worthy of further consideration. Although this alternative predicts traffic problems around the US 20 Bypass and existing US 31 interchange, these could potentially be addressed by improvements surrounding this intersection. We also are not prepared to dismiss the eastern alternatives H and I without origin/destination particulars. These alternatives also merit a more regional perspective.

The preliminary estimates for wetland impacts in the proposed alternatives to be carried forward range between 43 and 85 acres. There are also extensive areas of hydric soils, up to 448 acres, in the selected and other preliminary alternatives. Understandably, the affected wetlands are initial estimates, and the wetland impacts will change after delineations and final alignments are selected. All of these wetlands may not be within the jurisdiction of the Corps of Engineers, however a permit likely would be required from the Indiana Department of Environmental Management for those outside of Corps' jurisdiction. Wetland impacts of the sizes noted in the document would likely be considered significant, and the project would receive intensive review in any Corps' public interest review.

Partly due to the magnitude of projected wetland impacts, we urge additional investigation of Rural Arterial Alternatives, and other potential alternatives which would avoid and minimize wetland impacts. As currently presented in the Preliminary Screening Report, the Rural Arterial Alternatives do not receive equitable consideration. For the Rural Arterial alternative with bypasses, the traffic volume statistics presented for the bypass segments do not distinguish between traffic on the bypass and traffic on existing US 31, as is done for Alternatives A through K. Separating these traffic statistics would likely reduce the traffic projections on existing US 31. In Michigan, the DEIS on *US 31 from I-196 in Allegan County North to I-96 in Muskegon County*, presented controlled access boulevard alternatives which provided acceptable levels of service (LOS C) in areas with higher traffic volumes. These alternatives were planned with higher design speeds than those proposed in the Plymouth-South Bend Corridor. For Plymouth to South Bend, similar alternatives should be considered in combination with freeway options for rural stretches, added lanes in towns, and bypasses around LaPaz and Lakeville. We are confident that using a combination of elements, an alternative maximizing use of the existing alignment (other than a full freeway) can be developed which meets the project's purpose and need.

At the recent meeting, we recommended that INDOT submit a permit application prior to finalization of the decision documents. This timing originates from procedures agreed to by the Federal Highways Administration (FHWA), INDOT, the Corps, U.S. Environmental Protection Agency, and U.S. Fish & Wildlife Service in Indiana. In 1996, the five agencies adopted the

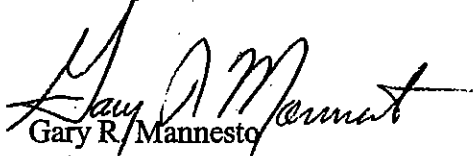
Statewide Implementation Agreement for Concurrent NEPA/404 Processes for Transportation Projects in Indiana. The agreement identifies that a permit application is generally submitted concurrent with circulation of draft NEPA documents. The 2001 FHWA document "*Indiana's Streamlined EIS Procedures*," differs from the *Statewide Implementation Agreement* in several respects, including this one. We urge early submittal of a permit application so that the Corps has the opportunity to fully and fairly consider the options.

One comment on technical aspects of the recent *Preliminary Alternatives Analysis and Screening Report*: Tables 1.2.1 and 3.6.1 use a Roosevelt to Miller Road segment while Table 4.1.1 uses a Roosevelt to New Road segment. These segments are labeled with differing rural/urban classifications, which makes comparisons inaccurate and could affect Level of Service measures.

As we pledged at the meeting, we reviewed our records for existing mitigation sites within the proposed project corridors. We did not locate any sites within the project area. Also, as we offered at the meeting, our staff is available to assist in wetland determinations, and in reviewing wetland delineations for the project.

We appreciate the opportunity to provide input at this stage. If you have questions, please contact Charles M. Simon at the above address or telephone (313) 226-2221. Please refer to File Number: 96-150-019-0.

Sincerely,


Gary R. Mannest
Chief, Regulatory Office
Engineering & Technical Services

Copy Furnished

South Bend Field Office
USFWS, Northern Indiana Sub-Office
IDEM, Ryan Cassidy

Section 106

DNR

Indiana Department of Natural Resources

Joseph E. Kernan, Governor
John Goss, Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us



January 26, 2004

Carl D. Camacho, PE
Manager, Highway Design
Bernardin, Lochmueller and Associates, Inc.
7830 Rockville Road, Suite C
Indianapolis, Indiana 46214

Federal Agency: Federal Highway Administration

Re: Archaeological records check (Carson & Plunkett 12/15/03) for the US 31 Corridor project from US 30 near Plymouth to US 20 near South Bend (BLA Project #201-0101-OHY/HY21; Designation #9405230; DNR #6115, 9770-1)

Dear Mr. Camacho:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated December 29, 2003, and received on December 31, 2003, for the above indicated project from Plymouth to South Bend, Marshall and St. Joseph counties, Indiana.

Thank you for providing a copy of the Archaeological Records Check. Based upon the report and a review of our records indicates that the proposed project area is in an environmental setting that is suitable to contain archaeological resources, but has never been evaluated by a qualified archaeologist.

Given the aforementioned factors, a reconnaissance level archaeological survey will be required once the route is finalized to determine the presence or absence of archaeological resources. The survey must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716). A description of the survey methods and results must be submitted to the Division of Historic Preservation and Archaeology for review before we can comment further.

A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions about our comments, please call Bill Mangold of our office at (317) 232-1646.

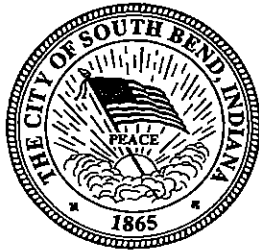
Very truly yours,


Jon C. Smith
Deputy State Historic Preservation Officer

JCS:WLM:kab

cc: Bob Tally, Division Administrator, Federal Highway Administration
emc: Todd Zeiger, Northern Regional Office, Historic Landmarks Foundation of Indiana

JAN 29 2004



South Bend and St. Joseph County
HISTORIC PRESERVATION COMMISSION
227 WEST JEFFERSON BLVD.
SOUTH BEND, IN 46601-1830

Phone: 574-235-9798 Fax: 574-235-9578
e-mail: historic@michiana.org



John H. Oxian, President

A Certified Local Government

Karen R. Hammond-Nash, Director

January 20, 2004

Mr. Carl D. Camacho
Project Manager, US-31 Study
Bernadardin, Lochmueller & Assoc., Inc.
7830 Rockville Road, Site C
Indianapolis, IN 46214-3105

FEB 2 2004

RE: Proposed new routes for US 31

Dear Mr. Camacho:

Enclosed please find the following information regarding the Historic Preservation Commission's decision to favor proposed route E-s, especially north of Madison Road, over the other routes proposed:

1. A Resolution adopted by the historic Preservation Commission of South Bend & St. Joseph County on January 10, including a majority and minority report upon the new routes presently proposed for US 31 through St. Joseph County. These comments specifically regard the impact upon historic sites and structures in St. Joseph County.
2. Attached to the first Resolution, a second Resolution regarding the preservation of certain significant historic sites in our sister County to the south, Marshall County.
3. A map of St. Joseph County, showing the existing and proposed US 31 routes, and showing the location and photographs of 18 significant historic structures, each of which would be affected or destroyed by one (or more) of the proposed routes. The numbers 1 through 18 on the map correspond to the numbers on the photos.
4. A separate list of the 18 structures photographed, with a brief explanation of each.

In addition to the structures photographed, there are three historic cemeteries which could be affected by the proposed routes. Southlawn Cemetery would be directly affected by routes C-s, E, F, G-s, and G. In fact, it would probably lose its historic gatehouse and entrance way. Van Buskirk Cemetery and Union Cemetery would be affected by secondary development incident to the use of route G.

We hope this data will be of use to you in your own deliberations regarding US 31 and related planning. The moving of a road which has had essentially the same footprint essentially since the days of Indian territory is a major change in the life and transportation patterns of the whole community.

Yours,

Karen R. Hammond-Nash,
Director

C: Linda Weintraut, Weintraut & Assoc.
John Carr, D.H.P.A.
Chris Baynes, I.N.D.O.T.
Kurt Garner, Wythougan Valley Preservation Council

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John Livingston (Attorney)

RESOLUTION
OF THE
HISTORIC PRESERVATION COMMISSION
OF
SOUTH BEND & ST. JOSEPH COUNTY

The Historic Preservation Commission held a Special Meeting on Saturday, January 10, 2004, to discuss the apparent historic impact of the different US 31 route proposals. At this meeting, after having driven around the various routes proposed, and after hearing and considering all public comments offered, and after discussion of the probable historic impact of the various proposed routes:

Upon motion by Joann Sporleder, seconded by Catherine Hostetler, and carried unanimously, the HPC directed staff to prepare and transmit a Resolution, stating that proposed route E-s appears to have the least detrimental impact upon historic preservation, stating the reasons for that conclusion, and attaching a minority report supporting route C-s, and stating the reasons for supporting that route.

RESOLVED:

1. Proposed routes G, and to a slightly lesser degree G-s, are very bad indeed, because they would clear out and wreck much rural land, and would impact several significant historic farms and homes. Proposed routes G and G-s, or any other potential route east of the present US 31, are impossible to support, because they would have such destructive impact upon significant historic resources, both built and natural.
2. If route C or the northern part of C-s were followed, at least two historic rural properties, both of particularly great architectural and historic value in the County, would be lost.
3. The access roads and interchanges required to connect C-s or C to the city and to other highways would entail other losses of historic structures, both in the city and the county, loss of rural and wetland areas, and loss of the opportunity to preserve and interpret the historic rail corridor and Nutwood area, including the "Rails to Trails" project which has been under discussion for some time now.
4. Of the present routes, route E-s is to be preferred over the other proposals under consideration, particularly from Madison Road north, because it would entail the least loss of historic and cultural resources, and also because of city gateway considerations, and prospective historic restoration of the south side of South Bend. This route, with

proper planning, could encourage restoration and preservation of historic south side buildings and streetscapes by encouraging occupation, development, and restoration of some lovely buildings that are presently vacant.

5. Anything west of Michigan Street and the present US 31 would not help the vacancies along the present route, and would encourage or require the demolition of existing structures on the west side of South Bend that are presently doing just fine.

MINORITY REPORT:

Two members of the Historic Preservation Commission stated as follows:

1. Any of the routes that enter South Bend via Michigan Street would likely entail, widening Michigan, making it much more busy, and making it more of a trucking route, which would be detrimental to the historic structures remaining in the city, and to the life of the city generally.
2. Increased non-local traffic on Michigan Street could so impede local traffic as to prevent profitable business from operating in the historic buildings located along Michigan Street.
3. All of the proposed routes under consideration would entail some losses of historic sites and structures.
4. Of the alternatives present, route C-s, while it would entail the loss of two very significant properties, would entail the loss of only those two, and therefore the dissenting minority believe that it is to be preferred over all the other proposals presently under consideration.

TRANSMITTAL:

Pursuant to the direction of the Historic Preservation Commission, this Resolution is being sent to South Bend and St. Joseph County executive and legislative offices, the Department of Transportation, the project engineers, and others who have expressed interest or will be assisting in the route selection decision

Respectfully Submitted,

January 14, 2004



Karen R. Hammond-Nash,
Director, Historic Preservation Commission
of South Bend and St. Joseph County

Significant Historic Properties – Summaries

- 1.) **60284 US 31:** a 1930s brick colonial revival home and garage/barn with cupolas on several acres. Twin brick light posts mark the entry to the drive and another pair stands at the entrance to the fields. This home may have been owned by notable South Bender, Forest Hay. It is probably set back enough from the roadway to be safe from the roadway. Threatened by E, Es, F, G, Gs.
- 2.) **61191 US 31:** Ullery/Farneman Farmhouse, one of the earliest Italianate farmhouses extant in the county, unique for the Tuscan influence that can be seen in its design. c. 1850-1860. This house is connected to the early settlement patterns that occurred along the Michigan Road. The Farneman family also operated a horse and buggy shop located on Michigan Street in downtown South Bend. Rated Significant and eligible for the National Register, also a Local Landmark.
- 3.) **Southlawn Cemetery:** Early graves dated to the late 1800s. Administration building dates to 1920s.
- 4.) **61550 US 31:** Jacob Schafer/Zeiger farmstead, Italianate styled house, bank barn, and outbuildings. The original surveyor of the Michigan Road owned and lived on this property. Rated Significant.
- 5.) **63049 Turkey Trail :** Francis Donaghue Italianate Farmhouse, barn, and chicken coop. Donaghue was a prosperous farmer, and he profited from the gold and silver speculations in the mid-1800s. This property is eligible for the National Register and was designated a Local Landmark.
- 6.) **62290 Miami Road:** George and Elizabeth Schafer farm. The property includes the 1908 neo-Jacobean inspired farmhouse, a very large bank barn, a clay-tiled silo with a gambrel roof, a milk house, and a smaller gabled barn. The relationship of these buildings and structures to one another has kept a good level of integrity to the farm landscape. Some modern additions including a deck were added to the house. Rated Significant, Local Landmark.
- 7.) **18799 Roosevelt Road:** The Peter Schafer farm and its Queen Anne styled farmhouse. This farm has many outbuildings and a large barn still intact from its period of historic significance during the early 1900s, the era of prosperity for farmers and the Americanization of the German immigrant population. This farmstead retains the organization of tradition farming practices. Rated: Outstanding/13. Eligible for the National Register.
- 8.) **18580 Roosevelt Road:** a vernacular gable-front farmhouse connected to the Schafer family, a German family with long ties to the county. This house could be a part of a local rural district in conjunction with the Peter Schafer farm, and 62290 Miami Road, the landmarked George Schafer farmhouse, barn, and outbuildings. Significant/11.
- 9.) **19251 Roosevelt Road:** Queen Anne farmhouse, barn, and outbuildings. Significant, Local Landmark.
- 10.) **64154 Miami Road:** Conrad Schafer farmstead established c. 1853, a Greek Revival vernacular home with Victorian era porch details, the farmstead also retains many auxiliary structures and buildings. Rated: Significant/11 and considered eligible for the National Register.

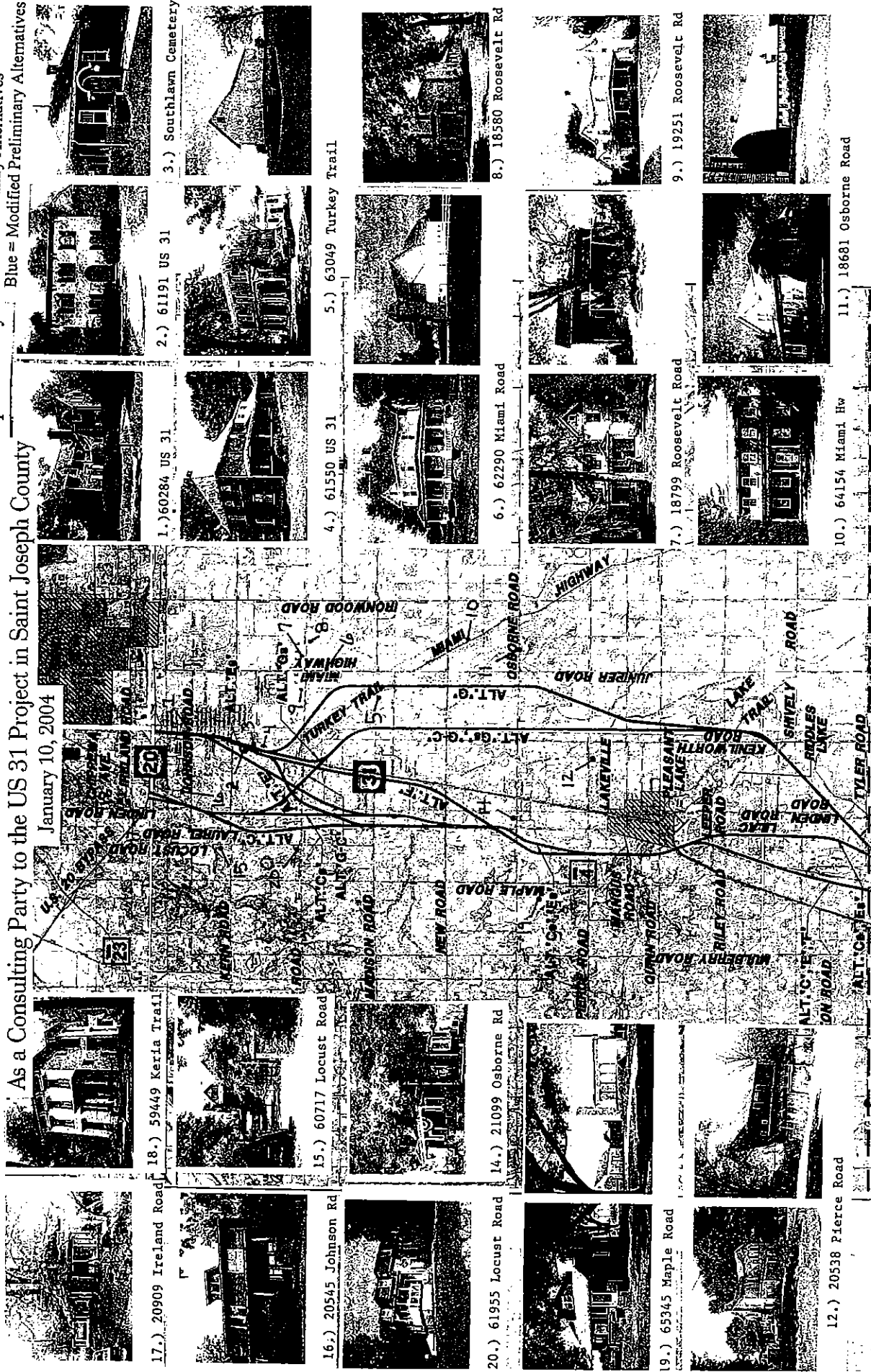
- 11.) **18681 Osborne Road:** David Court Farm, once owned by Delbert Schafer. The house was most likely constructed before 1882 with Stick Style details. The farm as a whole is a fine example of an early 20th century dairy farm. There is a granary, chicken house, a drive-through corn crib, a large dairy barn, and several silos. Rated Significant/12. Eligible for the National Register.
- 12.) **20538 Pierce Road:** Warren O Bunch farm, vernacular farmhouse, German bank barn, honey house, chicken house and other auxiliary buildings, historic field patterns. Rated Significant. Eligible for the National Register.
- 13.) **69490 Juniper Road:** Round barn, one of the few remaining in the county. This building type is known for its economic use of building materials, solid structure and effectiveness for dairy farmers. Rated: Outstanding 13.
- 14.) **21099 Osborne Road:** the Mary Garrett farmhouse, Queen Anne style house. A fieldstone wall lines Osborne Road and has light posts. A silo sits to the rear of the home near the foundation of the bank barn. Rated: Significant 12.
- 15.) **60717 Locust Road:** Emil Johnson House, a Tudor Revival, Arts and Crafts residence c. 1914. Rated Outstanding/13 and considered eligible for the National Register.
- 16.) **20545 Johnson Road:** a 1915 American Four Square farmhouse with Prairie Style influence that retains its location on a rural road. Rated: Significant/Notable.
- 17.) **20909 Ireland Road:** A rambling Arts & Crafts Prairie Style home with many interesting architectural features, the home of a South Bend inventor, Cover, who worked on ventilation masks in the 1910s. Rated Significant/12 and considered eligible for the National Register.
- 18.) **59449 Keria Trail:** Evergreen Hill, the Rupel homestead, has been in the same family since 1831. The present house was built in 1873. It is a lovely Italianate, that stands amidst a grove of evergreens. A barn, several other farm buildings, and a family graveyard are also located on the property. Listed on the National Register. Rated Outstanding/13. HLFH holds a Façade Easement.

SIGNIFICANT HISTORIC PROPERTIES

Reviewed by the Historic Preservation Commission of South Bend and Saint Joseph County
As a Consulting Party to the US 31 Project in Saint Joseph County
January 10, 2004

Legend

- Green = Existing US 31
- Red = Preliminary Alternatives
- Blue = Modified Preliminary Alternatives





HISTORIC
LANDMARKS
FOUNDATION OF
INDIANA

Northern Regional Office
402 West Washington Street
South Bend, IN 46601
574 232 4534 Fax: 574 232 5549
north@historiclandmarks.org
www.historiclandmarks.org

RECEIVED

JAN 20 2004

8:45 AM

January 13, 2004

Mr. Carl D. Camacho
Project Manager, US 31 Study
Bernadardin, Lochmueller and Associates, Inc.
7830 Rockville Road, Site C
Indianapolis, IN 46214-3105

Re: Revised alternates, US 31- Plymouth to South Bend

Dear Carl,

Thank you for your letter and accompanying packet of December 18th which we received on January 5th. We appreciate the update and the opportunity to comment on the revised alternatives that were presented. I also want to commend your firm, INDOT and other officials involved with the process for taking into consideration our and others input and shifting some of the alternatives.

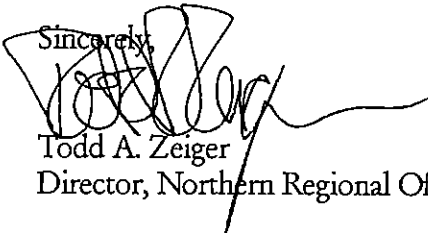
After analysis of the revised routes and consulting with the Historic Preservation Commission of South Bend and St. Joseph County as well as our affiliate organization, Wythogan Valley Preservation Council, Historic Landmarks Foundation of Indiana recommends that route "E-s" be selected from the U.S. 20 bypass/existing US 31 interchange going south to the just south of Lakeville and then the combined route "C,E,F" from that point to the intersection with U.S. 30. I have included a highlighted map to better demonstrate our recommendation. The northern leg of the route "E-s" is largely the alternative that we proposed in our letter of September 9th. We see no compelling case for altering our recommendation. This route avoids the direct demolition of historic resources for the actual construction of the improved facility as well as minimizes reasonably anticipated negative impacts to adjacent resources and the rural character of the community.

We could support a Federal Highway Administration finding of "no adverse effect" for this preferred route. Conversely, we would not support such a finding for the other routes as they pose significant issues for historic properties in or adjacent to the proposed routes (see our September 9th letter.) The requirement of a Memorandum of Agreement for the project to mitigate those adverse effects to historic properties could very well delay the project.

If you want copies of any of the background research or other documentation that has gone into this recommendation, we would be pleased to provide that to you. I believe that much of that material has been provided by either the Historic Preservation Commission of South Bend and St. Joseph County or Wythogan.

Thank you for the opportunity to comment and help shape this project so it can have the least impact on our historic resources. I look forward to our next consulting parties meeting.

Sincerely,



Todd A. Zeiger

Director, Northern Regional Office

cc. Linda Weintraut
Kurt Garner, Wythogan Valley Preservation Council
Karen Hammond -Nash, Historic Pres. Commission of S.Bend and St. Joseph Cty.
John Carr, D.H.P.A.
Honorable Steve Luecke, Mayor, City of South Bend
St. Joseph County Commissioners
Marshall County Board of Commissioners

RESOLUTION
OF THE
HISTORIC PRESERVATION COMMISSION
OF
SOUTH BEND & ST. JOSEPH COUNTY

JAN 20 2004

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RESOLVED:

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5. Anything west of Michigan Street and the present US 31 would not help the vacancies along the present route, and would encourage or require the demolition of existing structures on the west side of South Bend that are presently doing just fine.

MINORITY REPORT:

Two members of the Historic Preservation Commission stated as follows:

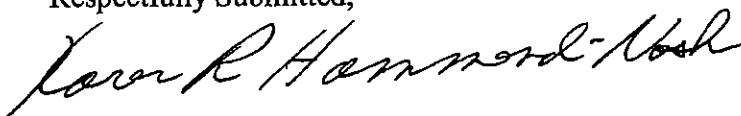
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TRANSMITTAL:

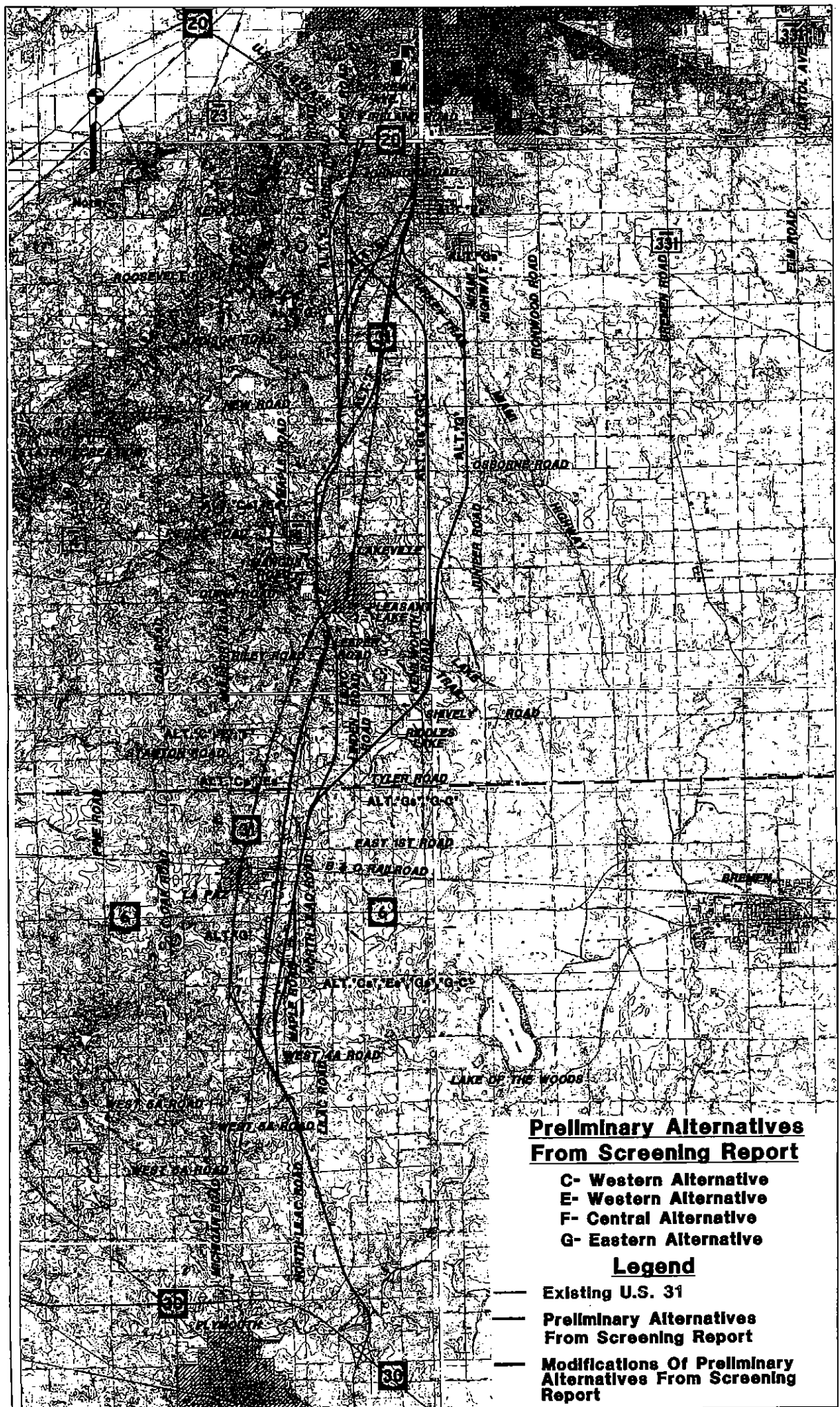
Pursuant to the direction of the Historic Preservation Commission, this Resolution is being sent to South Bend and St. Joseph County executive and legislative offices, the Department of Transportation, the project engineers, and others who have expressed interest or will be assisting in the route selection decision

Respectfully Submitted,

January 14, 2004



Karen R. Hammond-Nash,
Director, Historic Preservation Commission
of South Bend and St. Joseph County



**Preliminary Alternatives
From Screening Report**

- C- Western Alternative
- E- Western Alternative
- F- Central Alternative
- G- Eastern Alternative

Legend

- Existing U.S. 31
- Preliminary Alternatives From Screening Report
- Modifications Of Preliminary Alternatives From Screening Report

WYTHOUGAN VALLEY PRESERVATION COUNCIL, INC.

*308 South Michigan St. - Plymouth, IN 46563 (574) 936-7517
"preserving the standing reminders of our collective Marshall County past"*

January 9, 2004

Mr. Chris Baynes
Indiana Department of Transportation
100 N. Senate Avenue Rm N855
Indianapolis, IN 46204

RE: US 31 - Plymouth to South Bend Study, Marshall County historic properties

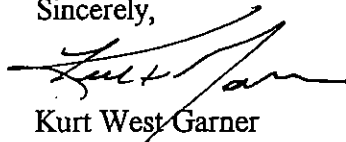
Dear Mr. Baynes:

Please find enclosed additional historical information requested by John Warner of Weintraut & Associates for the U.S. 31 Plymouth to South Bend study. Information includes short historical background information on itemized resources, additional photographs & map of the area.

This additional information is to further explain our position of advocating for the alternate route which follows the former Vandalia railroad in North Township, Marshall County. This will least disrupt the rural character of the township and best preserve the existing historical resources.

If you have any questions, please do not hesitate to call. Thank you.

Sincerely,



Kurt West Garner

cc: Mrs. Linda Rippy, Marshall County Historian
Mr. Kevin Overmyer, President, Marshall County Board of Commissioners
Mr. Todd Zieger, Historic Landmarks Foundation of Indiana
Ms. Karie Brudis, DNR-DHPA
Mr. Carl Camacho, Bernardin Lochmueller & Assoc.
Ms. Linda Weintraut, Weintraut & Assoc.
Ms. Karen Hammond-Nash, Historic Preservation of St. Joseph County/South Bend
Mr. Doug Anspach, Marshall County Economic Development

RECEIVED

JAN 14 2004

CHANDY

U.S. 31 South Bend to Plymouth Study - Historical resources of Marshall County

Itemized resources corresponding to the earlier correspondence by Kurt Garner, Wythougan Valley Preservation Council in which was recommended the alternate route following the old Vandalia RR to avoid the following (see attached map also):

Resource "A"

Henry Zentz Farmstead, 2965 Maple Road (west side). Hall & Parlor house structure constructed ca. 1865 by Henry & Hattie Zentz. Zentz appears in 1870 & 1880 censuses at this location. Farmstead later occupied by P.I. Warren. House appears on 1882 map.

Resource "B"

William Gronawalt Farmstead, 2878 Maple Road (east side). Gabled-ell house structure constructed ca. 1890 by William Gronawalt. Includes ca. 1890 gambrel barn. House appears on 1908 map.

Resource "C"

White Family Cemetery, at T-intersection of Maple Road and E. 2C Road. 12+ graves, founded by Phinneas A. White as a part of his farmstead. Sits on wooded knoll with creek running on west side to south side. Has a loose laid rock "fence" surrounding area. Graves date 1860's-1900's. At least one U.S. veteran grave site. Photos provided of this area in earlier correspondence.

Resource "D"

Phinneas A. White Farmstead, 12178 2C Road (north side). Gable-front house structure constructed ca. 1855. Family appears in 1860, 1870 & 1880 censuses. Both Mr. & Mrs. White died in 1888 and were buried in the White Cemetery. House appears in 1882 & 1908 maps. Phinneas White located in North Twp. in 1850 and was a veteran of the 155th Regiment Co. H Indiana Volunteers in the Civil War. White also served as the North Twp. Justice of the Peace. Photo provided of this farmstead in earlier correspondence.

Resource "E"

J. Marshall White Farmstead, 12059 1B Road (south side). Gabled-tee house structure constructed ca. 1895 by Marshall & Sarah (Warren) White. Includes large English style barn with west end walk-out/covered basement & well house. Marshall was born 1854 to Phinneas & Hattie White, early North Township pioneers (see above) and married Sarah Warren (daughter of P.I. Warren-see above). They appear at this location in the 1900 & 1920 censuses. House appears in 1908 map. Photo provided of this farmstead in earlier correspondence-identified as Scott farm.

Resource "F"

J.N. McNeal Farmstead, 10914 1st Road (north side). Gabled-ell house structure constructed ca. 1868 by J.N. & Sarah McNeal. Located in North Township in 1863. House appears in 1882 & 1908 maps. Includes small ca. 1868 English-style barn.

Resource "G"

Seltenright Farmstead, 11901 4A Road (south side). Gabled-tee house structure constructed ca. 1900 by a Seltenright descendant. The Seltenright family were early pioneers in North Township who had a school and cemetery named for them east of this property. Appears on 1908 map.

Miscellaneous resources along current U.S. 31

The current U.S. 31 follows the historic Michigan Road dating to the late 1820's as it passes south of Lapaz, through Lapaz (platted late 1870's) and continues that course into St. Joseph County (or about 4 miles of road). Many of the earlier historic resources were removed in the first 31 widening project in the 1950's. Some resources which remain are a handful of residential structures lining the route in Lapaz dating to the 1880's. Also in Lapaz are three early commercial structures dating to 1890-1900's and the original grain elevator east of 31 on the B&O RR (identified in the interim report).

North of Lapaz is an early farmhouse and barn identified in the interim report as "notable" (east side of 31, immediately north of Lapaz). A handful of other farmhouses including an early English style barn (ca. 1860) at Walnut Hill on the west side of 31, immediately south of the county line. Walnut Hill pre-dates the platting of Lapaz as a stagecoach stop and post office, no commercial buildings remain from this that can be identified, however any new construction in the area should require archaeological reconnaissance. Also located on the Marshall County side of the county line (east side of 31) is the Mt. Zion Cemetery (also identified in the interim report).

We propose that there are too many historical resources along existing 31 to upgrade the highway by widening for additional driving lanes or raising or lowering the current road bed/driving lanes from their existing elevation (see attached map also).

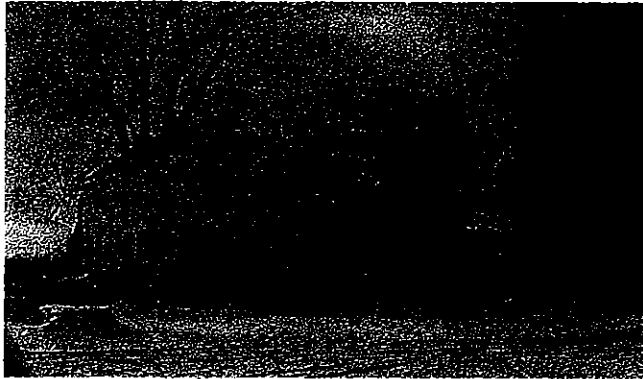
National Register eligibility requirements.

Although the resources listed do not appear to meet requirements for listing in the National Register, they do represent some of the earliest existing pioneer history of North Township (est. 1836) and should be avoided. The route following the old Vandalia line would be the least detrimental to the rural character and existing historic resources in North Township, Marshall County.

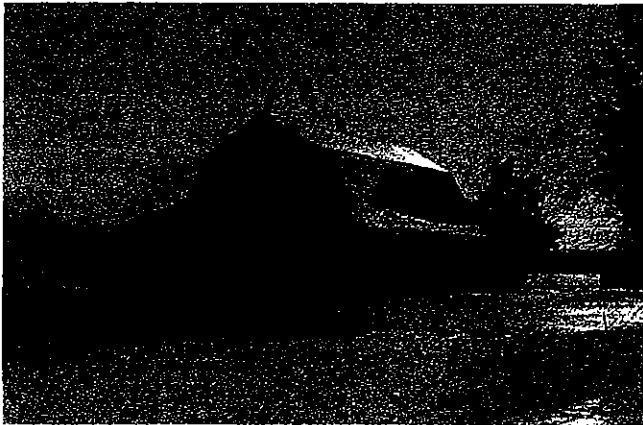
U.S. 31 South Bend to Plymouth Study - Historical Resources of Marshall County

Submitted by Kurt Garner, Wythougan Valley Preservation Council

Resources correspond to attached letter & map, see earlier correspondence for additional photos.



Resource "A"
H. Zentz Farm
Maple Road



Resource "B"
W. Gronawalt Farm
Maple Road



Resource "D"
P. White Farm
2C Road

U.S. 31 South Bend to Plymouth Study - Historical Resources of Marshall County

Submitted by Kurt Garner, Wythougan Valley Preservation Council

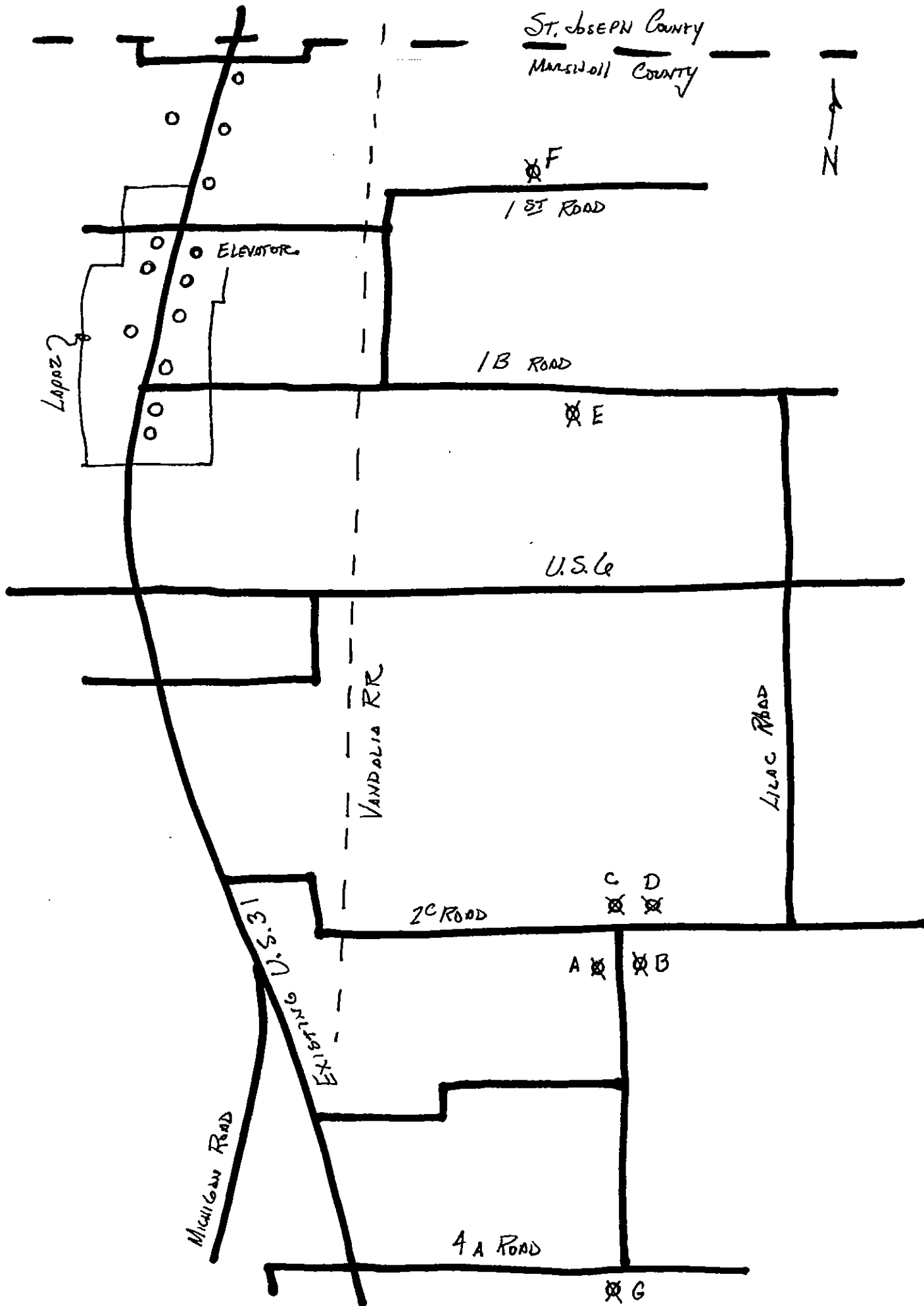
Resources correspond to attached letter & map, see earlier correspondence for additional photos.



Resource "F"
J.N. McNeal Farm
1st Road



Resource "G"
Seldenright Farm
4 A Road





Indiana COUNTY HISTORIAN



January 7, 2004

RECEIVED
JAN 12 2004
PLA-INDY

Carl Camacho
Bernardin, Lochmueller & Assoc.
7830 Rockville Rd Suite C
Indianapolis, IN 46214-3105

RE: US 31-Plymouth to South Bend Study, Marshall County historic properties

Dear Mr. Camacho:

On December 23, 2003, you received a letter of concern from Kurt West Garner regarding the US 31 planned routes through Marshall County.

As the Marshall County Historian, I am writing a letter of support for the Alternate Route C,E, & F as it passes through Marshall County, following the old Vandalia Railroad Line as indicated by the contents of Mr. Garner's letter of 12-23-03. Mr. Garner and I surveyed the area in Marshall County and we believe this route would be the least invasive to the historical properties of the area and would best preserve the rural character of the township.

I would appreciate being notified of additional changes to the proposed routes. Thank you for considering our request.

Sincerely,

Linda Rippey
Marshall County Historian

cc: Ms. Karie Brudis, DNR-DHPA
Mr. Carl Camacho, Bernardin Lochmueller & Assoc.
Ms. Linda Weintraut, Weintraut & Assoc.

WYTHOUGAN VALLEY PRESERVATION COUNCIL, INC.

*308 South Michigan St. - Plymouth, IN 46563 (574) 936-7517
"preserving the standing reminders of our collective Marshall County past"*

RECEIVED

December 30, 2003

JAN 02 2004

Mr. Chris Baynes
Indiana Department of Transportation
100 N. Senate Avenue Rm N855
Indianapolis, IN 46204

BLA-INDY

RE: US 31 - Plymouth to South Bend Study, Marshall County historic properties

Dear Mr. Baynes:

I am writing this letter on behalf of Wythougan Valley Preservation Council, Marshall County's local preservation organization and Linda Rippy, Marshall County Historian. I have been in review of the U.S. 31 Plymouth to South Bend Study material forwarded to Linda Rippy and have been at times a consulting party to INDOT on other projects. I understand Mrs. Rippy has forwarded some concerns regarding historic properties potentially affected by the proposed routes; we have recently surveyed the areas of potential effects and would like to offer some comments.

I must first offer this preface to all comments concerning historic properties. The idea of a "new" new U.S. 31 itself does not seem absolutely necessary. Had new 31 been constructed correctly we would not be in this current situation today. Although I find it amusing to justify a newly constructed road destroying property, farm & wetlands to enable individuals from South Bend to arrive in Indianapolis 20 minutes sooner (over the entire length none-the-less), I will concede that safety must be considered. I only hope that the speed limit is enforced on the new road unlike the current road, which if it then is, I predict people in South Bend would get to Indianapolis 20 minutes LATER than they do currently. Yet again, I concede to individuals who must be far more intelligent than I (or powerful) to determine that we do indeed need this road.

Again, Mrs. Rippy and I surveyed the area of potential effects. We most favor combined Alternate Route C, E, & F as it passes through Marshall County, following the old Vandalia Railroad Line. Alternate G and combined Alternates C, E, G, G-C would have detrimental affects on historic properties whereas the alternate route which follows the old Vandalia Line would have minimal affect to historic properties. Please consider the following:

- 1) The two alternate routes we object to above will pass too near the White Family Cemetery on East 2C Road, North Township, Marshall County (one to the immediate east and one to the immediate west). Part of the character (and protection from vandalism) of this small cemetery is its secluded location on a wooded hilltop. The dozen or so graves are intermingled with mature trees and surrounded by a loose laid stone fence. The entire


hilltop is wooded and should remain so. Our fear is that although the new highway would have to remain 100 feet from a platted grave all forestation surrounding the cemetery would be removed. Additionally, the c. 1860 White Family homestead is a few hundred feet to the east and would be removed under the east side option along with two other c. 1860 farmsteads immediately south on Maple Road. Please review our enclosed photographs showing the White Family Cemetery area.

- 2) The two alternate routes we object to also would remove a c.1910 farmstead with a very fine barn on East 1B Road and two or three other c.1900 farmsteads on East 1st Road with supporting outbuildings. Again, if the alternate route that follows the old Vandalia Railroad is chosen, it would miss the farmsteads mentioned above. Please see the enclosed photograph showing the farmstead on East 1B Road.
- 3) The two alternate routes we object to would also have greater disruption to the rural character of eastern North Township, Marshall County. It would have the resulting affect of removing more farmland and farmsteads from production. Should the Vandalia Line alternate be followed, it would place new road construction nearer the current U.S. 31 and new growth would occur in a smaller area between the existing and new routes.

For the above reasons we would ask that you remove Alternate G and combined Alternate C, E, G, and G-C as they are proposed in North Township, Marshall County and only consider Alternate C, E, F as it follows the old Vandalia Railroad line. If it becomes necessary to construct Alternate Route G; Alternate G, G-C; or Alternate C, E as it passes through St. Joseph County it would be rather simple to construct a link from the alternate route that follows the Vandalia Line to these other alternates south of the St. Joe/Marshall County line.

Thank you for your consideration of our request. I would appreciate being notified of additional changes to the proposed routes and a response to our concerns.

Sincerely,



Kurt West Garner

cc: Mrs. Linda Rippy, Marshall County Historian
Mr. Kevin Overmyer, President, Marshall County Board of Commissioners
Mr. Todd Zieger, Historic Landmarks Foundation of Indiana
Ms. Karie Brudis, DNR-DHPA
Mr. Carl Camacho, Bernardin Lochmueller & Assoc.
Ms. Linda Weintraut, Weintraut & Assoc.

LINDEN ROAD

RIDDLES LAKE

TYLER ROAD

ALT. 'G8', 'G-C'

EAST 1ST ROAD

B & O RAILROAD

LA PAZ

ALT. 'G'

NORTH LILAC ROAD

MAPLE ROAD

WEST 4A ROAD

LILAC ROAD

WEST 5A ROAD

LAKE OF T

WHITE FAMILY CEMETERY & FARMSTEAD

FARMSTEAD 1B RD.

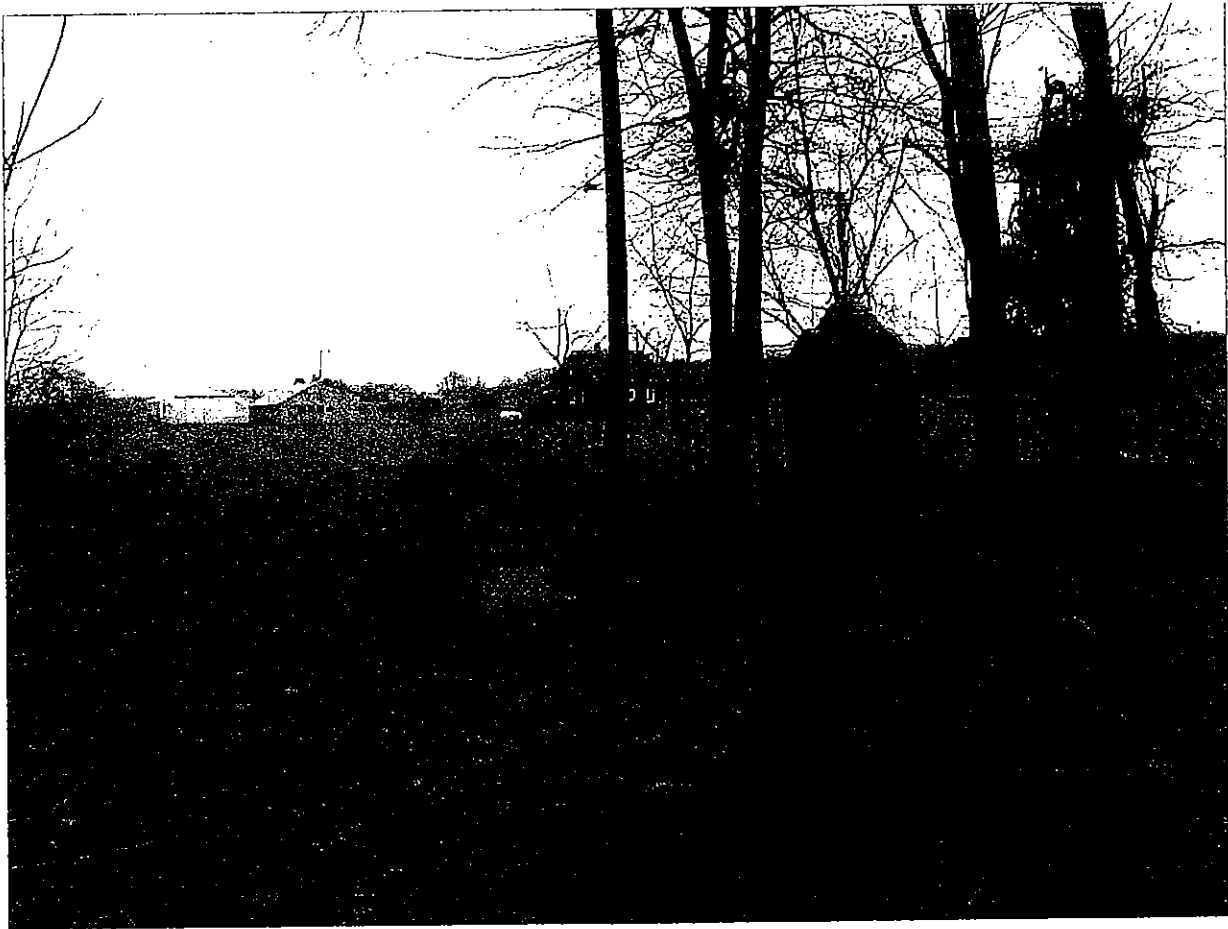
FARMSTEAD 5A RD.

POSSIBLE LINE

VANDERBILT ROAD

31

6



White Cemetery
North Township
White Homestead
in the background



White Cemetery
North Township



Scott Farm
North Township
W 1 B Road



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor
John Goss, Director



November 26, 2003

Linda Weintraut, Ph.D.
President
Weintraut & Associates Historians, Inc.
16 Boone Woods
Zionsville, IN 46077

Federal Agency: Federal Highway Administration ("FHWA")

Re: Determination of property boundaries in conjunction with the US 31 Corridor project
from US 30 near Plymouth to US 20 near South Bend (BLA Project #201-0101-
OHY/HY21; Designation #9405230; DNR #6115 & 9770-1)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated November 2, 2003, and received on November 5, 2003, for the above indicated project from Plymouth to South Bend in Marshall and St. Joseph counties, Indiana.

We do not have any concerns with the proposed property boundaries.

A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions about our comments, please call Karie A. Brudis of our office at (317) 232-1646.

Very truly yours,


Jon C. Smith
Deputy State Historic Preservation Officer

JCS:KAB:kab

RECEIVED

DEC - 1 2003

BLA

cc: Kathleen Quinn, Acting Division Administrator, Federal Highway Administration
~~Carla D. Camacho~~ Bernardin Lochmueller & Associates, Inc.
emc: Todd Zeiger, Director, Northern Regional Office, Historic Landmarks Foundation of Indiana



201-0101-044

South Bend and St. Joseph County
HISTORIC PRESERVATION COMMISSION
227 WEST JEFFERSON BLVD.
SOUTH BEND, IN 46601-1830

Phone: 574-235-9798

Fax: 574-235-9578

e-mail: historic@michiana.org



John H. Oxian, President

A Certified Local Government

Karen R. Hammond-Nash, Director

Monday, September 22, 2003

Carl Camacho, Project Manager
Bernadin Lochmueller & Associates, Inc.
6200 Vogel Road
Evansville, IN 47715-4006

RE: U. S. 31 proposed alternative routes

Dear Mr. Camacho:

Based on the information now available, the Historic Preservation Commission adopted, by resolution, the following position at our September 15, 2003 monthly meeting. The position of the HPC is as follows:

1. **Proposed Route G would cause devastation to historic structures and landscapes, which would be difficult to mitigate.**
2. **In view of the information which has become available to the HPC regarding the proposed width of U.S. 31 after its rebuilding, HPC has some new concerns about all the proposed routes, and the large number of important structures that would have to be demolished on both sides of the existing or proposed route to accommodate the desired greater width.**
3. **For these reasons, the HPC believes that the best alternative is the new proposal put forward recently by the Historic Landmarks Foundation of Indiana, for a route to follow proposed route F & E as far as they are the same, and then to chart a middle course through the open, un-built ground between the two, rejoining existing U.S. 31 / Michigan Street at Detroit Avenue, or between Lucinda Street and Pasadena Avenue.**

This should not only be preserve important historical links with our past, but also save money that would otherwise have to be spent in relocating people and demolishing buildings. Please do be sure to call us if there is any information or assistance which we may provide regarding this matter.

Yours,

Karen R. Hammond-Nash,
Director

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SEP 24 2003

BLA

Mary Jane Chase
Martha Choitz
Catherine Hostetler (Treasurer)

COMMISSIONERS
Virginia O'Hair (Secretary)
Lynn A. Patrick
Joann Sporleder (Architectural Historian)

Gerald Ujdak (Vice President)
Diane Wrobel-Illes
John Livingston (Attorney)



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor
John Goss, Director



September 2, 2003

Linda Weintraut, Ph.D.
Weintraut & Associates Historians, Inc.
16 Boone Woods
Zionsville, Indiana 46077

Federal Agency: Federal Highway Administration

Re: Revised area of potential effects ("APE"), preliminary alternatives analysis and minutes from the May 15th, 2003 meeting, draft of historic property report, and meeting notice for September 4th for the US 31 Corridor project from US 30 near Plymouth to US 20 near South Bend (Designation #9405230; BLA Project #201-0101-OHY/HY21; DNR #6115, 9770-1)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated July 24, 2003, August 19, 2003, and August 20, 2003, and received on July 28, 2003, August 20, 2003, and August 22, 2003, for the above indicated project in Marshall and St. Joseph counties, Indiana.

In general, we agree with the proposed findings of eligibility or non-eligibility for the properties identified in the August 19, 2003 "Draft Historic Property Report". We also agree with the proposed changes to the area of potential effects.

A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions about our comments, please call Karie A. Brudis of our office at (317) 232-1646.

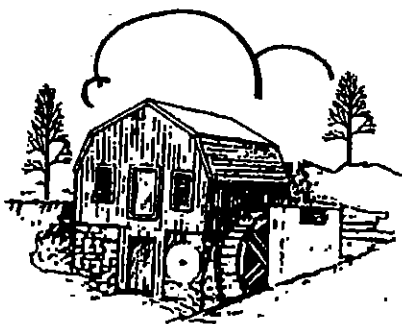
Very truly yours,


Jon C. Smith
Deputy State Historic Preservation Officer

JCS:KAB:kab

cc: Kate Quinn, Acting Division Administrator, Federal Highway Administration
[redacted], Berpardin Lochmueller & Associates, Inc.
emc: Todd Zeiger, Director, Northern Regional Office, Historic Landmarks Foundation of Indiana

RECEIVED
SEP - 8 2003
BLA



2070101-0ED

The Society for the Preservation of Old Mills
A Non-Profit Organization Chartered in Maine

Fred Beals
722 Green Pine Court, Apt. O
Mishawaka, IN 46545
(574) 259-4483

Kent *Kia*
Matt
Dean
Dave I
Tom
Carl
Jay M.

11 August, 2003

Bernasrdin-Lochmueller & Associates
6200 Vogel Road
Evansville, IN 47715-4006

To Whom It May Concern:

As much as I appreciate learning from you what's going on in the South Bend area, I must tell you that I am no longer the president of the Great Lakes chapter of our Society. I continue to be a member, but have no authorized position. Therefore, may I suggest that you remove my name from your mailing list concerning sending out progress reports on various bridge construction programs.

The current president of the chapter is: Richard Sulin, 111 South Main Street, Rockford, MI 49341. If you wish to continue to send these reports, you might wish to send them to him. However, living in central Michigan, he may not have an interest in Indiana's various bridge restoration programs.

Thank you

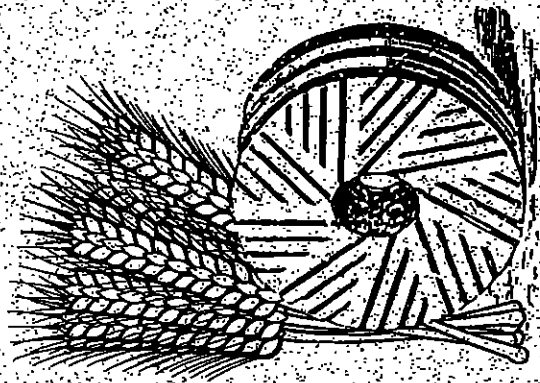
Fred Beals

Fred Beals

RECEIVED
AUG 14 2003
BLA

*We invite you to
join SPOOM by
completing the
form that appears
on the reverse of
this flap.*

Mail the form and your membership fee to the designated address. Your subscription will begin with the current issue and is renewable on an annual basis.



Publications

- **Old Mill News**—Membership in SPOOM includes an annual subscription to *Old Mill News (OMN)*, a quarterly magazine mailed in January, April, July, and October. The Mill Bookstore stocks back issues.
- **Mill Rosters**—SPOOM continues to compile mill rosters for most states and some foreign countries. These rosters are available to the public for a small charge to cover the cost of printing and mailing. A complete list of available rosters and a current order form appear on the SPOOM website.
- **The Mill Bookstore**—A full selection of reprinted and original text publications are offered through The Mill Bookstore. A catalog of available books is found in each issue of *Old Mill News* or the website.

More information is available from the following SPOOM staff:

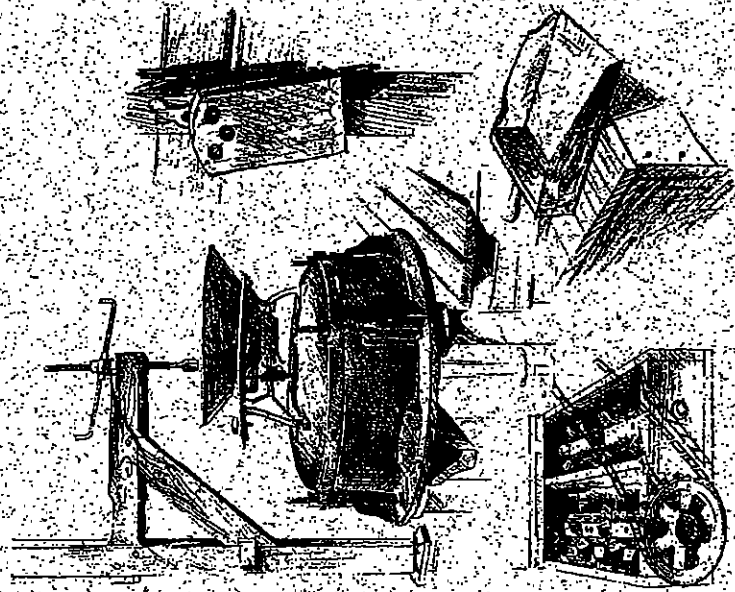
Esther A. Middlewood, Editor
Old Mill News
670 - 56th St Street, SE #5
Kenwood, MI 49548-5814
E-mail: eamedit@aol.com

Fred Beals
Mill Roster Coordinator
1561 Folkstone Ct.
Mishawaka, IN 46544-5831
E-mail: Folkstone6098280@aol.com

Sidney Helma - Mill Bookstore
SPOOM c/o CCHA
P.O. Box 1055
Newton, NC 28658-0611
E-mail: ccha@twave.net

Revised 10/1/2001
Please Destroy Prior Editions

The Society for the Preservation of Old Mills



Welcomes You!

www.spoom.org

Purpose

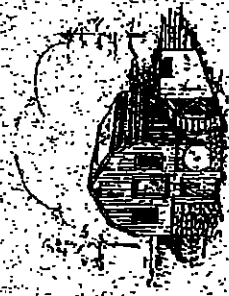
The Society for the Preservation of Old Mills is an international organization that is dedicated by its constitution and by laws to:

"promote interest in old mills and other Americana now quickly passing from the present scene. It reports to its members through a quarterly magazine (Old Mill News), keeps files and maintains a library of mills, and acts as a clearing house on milling information among all those interested."

The Society, known as **SPOOM**, was chartered in Maine as a non-profit organization in 1972. Its members include a wide variety of enthusiasts and membership is open to any individual who shares such interests and purposes. The Society cooperates with The International Molinological Society (TIMS), a world-wide organization of mill enthusiasts headquartered in England.

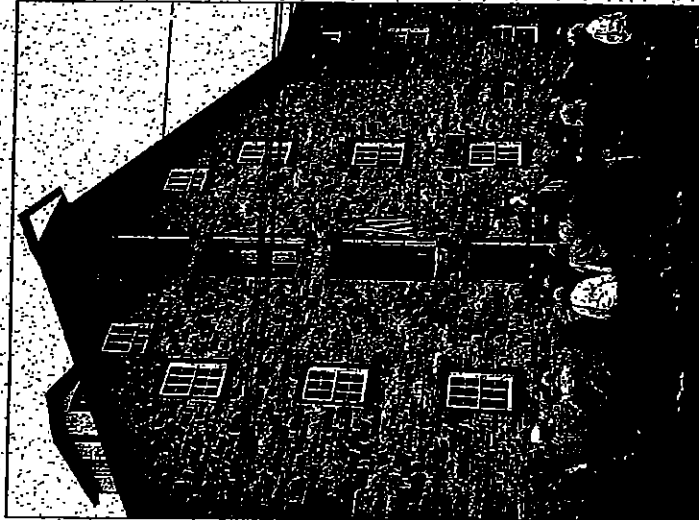
Web Site Access—In 1997, SPOOM joined the internet. Access is available through: <http://www.spoom.org>. Members are encouraged to use the web site to buy, sell, or trade mill-related items. Check out the options.

Technical Advisory Committee—In 1989, SPOOM organized a Technical Advisory Committee to help members with milling questions. Today, the Board of Directors serves as that committee. Contact any board member with your questions—or send your question to the "Can You Help?" column in *Old Mill News*.



Annual Conferences and Regional Meetings/Seminars

Annual Conferences and other meetings provide members with the opportunity to get together and share their interests in old mills. A different site is selected each year and includes mill tours, seminars, the annual SPOOM business meeting, and plenty of time to socialize.



SPOOMers visit Massey Roller Mill in Pennsylvania as part of the 2000 SPOOM Conference.

Regional Chapters also hold at least biannual meetings and offer a variety of activities. SPOOM currently endorses Canadian, Great Lakes, Intermountain, and Northeast chapters. For more information on how to start a regional chapter, contact the SPOOM Board of Directors.

Please enroll me as a member of the Society. I understand membership includes a subscription to *Old Mill News*.

Name _____

Please Print

Address _____

City _____

State/Prov./ZIP+4 _____

Do you own a mill? _____ Mill Name _____

Individual Regular USA	\$24.00/yr. (US funds)
Regular all other countries	\$25.00/yr.
Family Membership USA	\$30.00/yr.
Family Membership includes one copy of <i>Old Mill News</i> and two votes on Society affairs	\$50.00/yr.
Sustaining USA *	\$50.00/yr.
Organizations	\$50.00/yr.
Patron *	\$250.00/yr.
Corporate	\$250.00/yr.
Brochure obtained from _____	

These levels of membership are for persons wanting to show extra support for SPOOM activities. Non-North American residents may add US \$12.00 per year for air mail delivery. Contributions to SPOOM are tax deductible. Please indicate your level of membership and print the information requested above. Mail this section along with your payment in US dollars to William L. Denton, Circulation Manager, 5444 Alpine Ridge, Stevensville, MI 49127-1302. Canadian and all other foreign members MUST REMIT in US FUNDS ONLY, using international money orders, travelers checks, or checks payable through a US correspondent bank. Make checks payable to: Society for the Preservation of Old Mills, or to SPOOM, but not to an individual. Thank you.



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor
John Goss, Director



July 25, 2003

Linda Weintraut, Ph.D.
Weintraut & Associates Historians, Inc.
16 Boone Woods
Zionsville, IN 46077

RECEIVED

JUL 28 2003

BLA-INDY

Federal Agency: Federal Highway Administration

Re: May 15, 2003 meeting notice and area of potential effect ("APE") boundaries for the eleven corridors in the preliminary screening of the US 31 Corridor project from US 30 near Plymouth to US 20 near South Bend

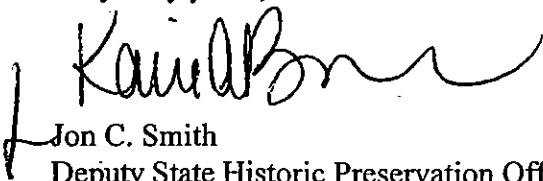
Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated April 16, 2003, June 9, 2003, and July 10, 2003, and received on April 21, 2003, June 18, 2003, and July 10, 2003, for the above indicated project in Marshall and St. Joseph counties, Indiana.

Based on information available to us at this time, we concur that the area of potential effects is appropriate.

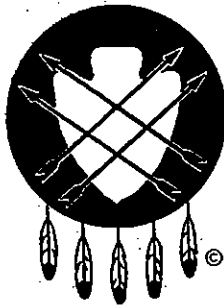
A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions about our comments, please call our office at (317) 232-1646. Questions about archaeological issues should be directed to Dr. Rick Jones. Questions about buildings or structures should be directed to Karie A. Brudis.

Very truly yours,


Jon C. Smith
Deputy State Historic Preservation Officer

JCS:JRJ:KAB:kab

cc: Kate Quinn, Acting Division Administrator, Federal Highway Administration
Jay Marks, Project Manager, Bernardin, Lochmueller & Associates, Inc.
emc: Todd Zeiger, Director, Northern Regional Office, Historic Landmarks Foundation of Indiana



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538
P.O. Box 1527
MIAMI, OKLAHOMA 74355

CHIEF
John P. Froman

SECOND CHIEF
Joe Goforth

May 28, 2003

Indiana Division, U.S. Department of Transportation
Federal Highway Administration
Attn: John R. Baxter, P.E.
Environmental Engineer
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

RECEIVED

JUN 03 2003

BLA-INDY

RE: Early Coordination Letter regarding the Preparation of an Environmental Impact Statement for the U.S. 31 Corridor from U.S. 30 near Plymouth, Indiana to U.S. 20 near South Bend, Indiana and Invitation to be Consulting Party.

Thank you for notice of the referenced projects. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

John P. Froman
Chief

xc: Bud Ellis, Repatriation/NAGPRA Committee Chairman

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JUN - 2 2003

BLA

TREASURER
LeAnne Reeves

SECRETARY
Hank Downum

FIRST COUNCILMAN
Claude Landers

SECOND COUNCILMAN
Jenny Rampey

THIRD COUNCILMAN
Jason Dollarhide

Consulting Parties
U.S. 31 Corridor Plymouth to South Bend

You are hereby invited to be a consulting party to participate in consultation to identify historic properties, assess effects, and seek ways to avoid, minimize, or mitigate adverse effects on historic properties. Please complete and return this post card and check if you "do" or "do not" agree to be a consulting party. Thank you.

☒ We "do" wish to be a consulting party

☐ We "do not" wish to be a consulting party

Name: John P. Froman

Organization: Peoria Tribe of Indians of Oklahoma

Address: PO Box 1527, 118-South Eight Tribes Trail

Miami, OK 74355

Telephone Number: 918-540-2535 Fax: 918-540-2538

E-mail Address: jfroman@peoriatribe.com



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, IL 60604

RECEIVED

AUG 22 2002

BLA-INDY

Date: 8/18/02

LETTER
Document: EARLY COORDINATION LETTER REGARDING THE PREPARATION
OF AN ENVIRONMENTAL IMPACT STATEMENT FOR U.S. 31
CORRIDOR FROM U.S. 30 NEAR PLYMOUTH, IN TO US 20
Dear Interested Party: NEAR SOUTH BEND, IN.

LETTER
The Environmental Planning and Evaluation Branch has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act; U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

LETTER
We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

- ☐ The document was not prepared under NEPA.
- ☐ The document was given a cursory review, but other workload priorities precluded us from undertaking a detailed review and generating comments.
- ☐ The document was given a cursory review, and we determined that there were no significant concerns meriting comment.
- ☒ We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. Thank you for providing information on the project.

Sincerely,

Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor
John Goss, Director



August 13, 2002

RECEIVED

AUG 14 2002

BLA-INDY

Jay Marks
Project Manager
Bernardin, Lochmueller & Associates, Inc.
7830 Rockville Road, Suite C
Indianapolis, Indiana 46214-3105

Federal Agency: Federal Highway Administration

Re: Early coordination letter for the improvements to US 31 from US 30 to US 20

Dear Mr. Marks:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated July 24, 2002, and received by the Indiana SHPO on July 25, 2002, for the above indicated project in Marshall and St. Joseph counties, Indiana.

Thank you for providing us notification of your undertaking. Be advised that it is not necessary to invite the Indiana SHPO to be a consulting party, because the Indiana SHPO is an automatic consulting party, and will participate in consultation when notified of the project and requested to assist in certain steps of the process.

Please provide the indicated information to facilitate the identification and analysis of historic properties in the project area, once it becomes available:

- 1) Provide an overall description of the project and its location detailing any construction, demolition, and earthmoving activities.
- 2) Define the area of potential effects¹ and provide a map or a good quality photocopy of a map containing the following:
 - The boundaries of the area of potential effects and the precise location of the project area within those boundaries clearly outlined in dark ink on a copy of the relevant portion of a town, city, county, or U.S. Geological Survey quadrangle map.
 - The names of nearby landmarks clearly labeled (e.g., major streets, roads, highways, railroads, rivers, lakes).
- 3) Give the precise location of any buildings, structures, and objects *within the area of potential effects* (e.g., addresses and a site map with properties keyed to it).
- 4) Give the known or approximate date of construction for buildings, structures, objects, and districts *within the area of potential effects*.
- 5) Submit historical documentation for buildings, structures, objects, and districts *within the area of potential effects*.
- 6) List all sources checked for your historical research of the *area of potential effects*.

¹ Area of potential effects means the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (see 36 C.F.R. § 800.16[d]).

- 7) Provide recent, clear photographs or good quality computer-generated images (not photocopies), keyed to a site plan, showing the exterior (and interior, if feasible) of any buildings, structures, objects, or land *that could be affected in any way by the project*.
- 8) Describe the current and past land uses within the project area; in particular, state whether or not the ground is known to have been disturbed by construction, excavation, grading, or filling, and, if so, indicated the part or parts of the project area that have been disturbed and the nature of the disturbance; agricultural tilling generally does not have a serious enough impact on archaeological sites to constitute a disturbance of the ground for this purpose.

Once the indicated information is received, the Indiana SHPO will resume identification and evaluation procedures for this project.

A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions, please contact Karie A. Brudis of our office at (317) 232-1646.

Very truly yours,


John R. Goss
State Historic Preservation Officer

JRG:KAB:kab

Enclosures

cc: John Baxter, Division Administrator, Federal Highway Administration
Todd Zeiger, Director, Northern Regional Office, Historic Landmarks Foundation of Indiana

INFORMATION NEEDED TO BEGIN THE SECTION 106 REVIEW PROCESS (Updated as of 09/27/99)

To begin the Section 106 historic preservation review process, the Federal agency or its delegate needs to establish whether there is an undertaking that has the potential to affect historic resources and, if so, identify listed or eligible historic properties or archaeological sites. Also, if desired, the Federal agency or its delegate may begin to evaluate the nature of the project's effect on any such properties or sites. Then, the Federal agency--or authorized consulting party, such as an applicant for funding or licensing--should submit the following items to the State Historic Preservation Officer (SHPO) at the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (DHPA), 402 West Washington Street, Room W274, Indianapolis, Indiana 46204 (telephone number 317-232-1646). The letter should provide the SHPO with sufficient information about the project, its location, and how it will affect historic properties to enable the SHPO to reach his own conclusions regarding whether historic properties are present and the nature of the project's effect on any such properties.

The SHPO or his staff at the DHPA will notify the Federal agency or its delegate if basic elements needed in the submission for SHPO review are missing. The SHPO will attempt to send such notifications within two to four weeks after the initial submission.

CHECKLIST: INITIAL ITEMS TO BE SUBMITTED TO THE SHPO FOR THE SECTION 106 REVIEW

Step 1: Initiating the Section 106 Review Process

- ___ A) A letter or a copy of a letter from the Federal agency or its delegate (e.g., in the case of Community Development Block Grant [CDBG] or HOME funds from the U.S. Department of Housing and Urban Development [HUD], the local government delegate; except that where Indiana Housing Finance Authority [IHFA] is providing grant funds directly to a non-profit organization, IHFA will be the delegate) naming the undertaking (i.e., the project, program, or activity) and identifying the consulting parties (e.g., the applicant, local governments, local historical societies or other preservation organizations, or a county historian who have expressed, or may be expected to express, an interest in or concern about the undertaking), unless the Federal agency or its delegate has already provided authorization directly to the SHPO.
- ___ B) Where applicable, if another person or organization is authorized to represent a consulting party named by the Federal agency or its delegate in the Section 106 review process, then a letter should be provided from the consulting party clearly indicating who that authorized representative is (e.g., a particular regional planning agency, grant administrator, architect, engineer, or consultant);
- ___ C) The name of the Federal agency or its delegate, that has direct or indirect jurisdiction over the project, activity, or program, and, if applicable, the name of the program. For example, if grant funds will be used or a license, permit or other approval by a Federal agency or its delegate is required, then identify the source of the grant funds (e.g., federal CDBG money from the Indiana Department of Commerce's Community Focus Fund, or federal funds from Rural Development or the Federal Highway Administration) or simply the name of the agency issuing a license, permit or other approval (e.g., U.S. Army Corps of Engineers, Federal Deposit Insurance Corporation);
- ___ D) An overall description of the undertaking (or project) and its location (including address, city, township, and county);

Step 2: Identifying Historic Resources

Determining the Scope of Identification

- ___ A) Define the area of potential effects (the geographic area or areas within which an undertaking may cause changes in the use or character of historic properties, if any such properties exist; *includes effects that are direct or indirect, cumulative, later in time, or at a distance*); and provide a map or a good quality photocopy of a map containing the following:
 - i) The boundaries of the area of potential effects *and* the precise location of the project area within those boundaries clearly outlined in dark ink (highlighter and pencil do not photocopy well) on the a copy of the relevant portion of a town, city, county, or U.S. Geological Survey quadrangle map;

- ii) The names of nearby landmarks clearly labeled (e.g., major streets, roads, highways, railroads, rivers, lakes);

Evaluating Historic Resources

- ___ B) Give the precise location of any buildings, structures, and objects within the area of potential effects (e.g., addresses and a site map with properties keyed to it);
- ___ C) Gather and organize documentation on buildings, structures, and objects within the area of potential effects including: dates of construction, statement of any known modifications to individual buildings, structures, and objects, associations with significant events or persons, and any other historical information known about the land, buildings, and structures within the area of potential effects;
- ___ D) Describe the existing condition of any vacant land within the project area; in particular, state whether or not the ground is known to have been disturbed by construction, excavation, grading, or filling, and, if so, indicate the part or parts of the project area that have been disturbed; agricultural tilling generally does not have a serious enough impact on archaeological sites to constitute a disturbance of the ground for this purpose;
- ___ E) Document the sources checked (i.e., using correspondence, bibliographical citations [e.g., title, author, page number], or copies of relevant materials obtained from oral history interviews, sample field investigations, field surveys, background research, consultation with a county historian, a local historical or historic preservation organization, or reference materials such as the interim report of a local historic sites and structures inventory);
- ___ F) Provide recent, clear photographs or good quality computer-generated images (not photocopies) showing the exterior (and interior, if feasible) of any buildings, structures, or objects that could be affected in any way (such as by demolition, rehabilitation, expansion, taking of right-of-way, or visual modification or obscuration) by the project;

Documenting Findings

- ___ G) Summarize the Federal agency's or its delegate's findings regarding the existence of historic properties within the area of potential effects by providing a list of historic and non-historic resources ("historic" resources or properties are those that are listed in or eligible for inclusion in the National Register of Historic Places) and the reasons underlying those conclusions;

Step 3: Assessing Effects on Historic Resources:

- ___ A) Provide a detailed scope of work and describe how any land, buildings, structures, or objects, within the area of potential effects could be physically altered or visually modified or obscured as a result of the proposed work;
- ___ B) State whether or not any buildings, structures, or objects might be demolished or otherwise disposed of as a result of the acquisition or construction of a new facility, and, if so, be sure to proceed with the following:
 - ___ i) Provide a site plan for undertakings that will involve new construction, additions to existing buildings, changes in right-of-way or earthmoving activities:
 - a) Showing the footprint of existing and/or proposed buildings or structures;
 - b) With the precise location of all construction, changes in right-of-way or earthmoving activities on a particular lot or lots clearly marked;
 - ___ ii) If applicable, describe whether or not the buildings, structures, or objects to be demolished or otherwise disposed of are currently owned or leased by a Federal agency.
- ___ C) Summarize the Federal agency's or its delegate's findings regarding the effects on historic properties within the area of potential effects by outlining the reasons for your conclusions.

Depending on the nature of the undertaking and the properties it could affect, the SHPO or his staff in the DHPA may request additional information, such as the report of an archaeological investigation of a vacant parcel of land, a structural report on a building to be demolished, or photographs of work areas and detailed plans and specifications of proposed rehabilitation work. This information usually need not be provided in the initial submission to the SHPO, however. For more information on the process refer to the Federal regulations at 36 C.F.R. Part 800, which are available on the Internet at www.achp.gov.



SUMMARY OF THE KEY STEPS FOR CARRYING OUT THE SECTION 106 REVIEW PROCESS IN
INDIANA (UPDATED AS OF 01/31/01 i:\enreview\administ\handouts\106step)

INTRODUCTION

Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and the Section 106 regulations (36 C.F.R. § 800 as revised effective January 11, 2001) require that any Federal agency or its delegatee having jurisdiction over a project that will be funded or licensed by that Federal agency or its delegatee take into account the project's effect on historic properties and give the Indiana State Historic Preservation Officer ("SHPO") and another Federal agency, the Advisory Council on Historic Preservation, a reasonable opportunity to comment on the project. An historic property is any district, building, structure, object, or site that is either listed in or eligible for the National Register of Historic Places.

Unlike all other Federal agencies, the U.S. Department of Housing and Urban Development ("HUD") has delegated its responsibility under Section 106 to local governments that receive Community Development Block Grant funds from HUD, either directly or through grant programs such as the Indiana Department of Commerce's Community Focus Fund ("CFF") or programs administered by the Indiana Housing Finance Authority ("IHFA"). Therefore, the local government that receives or hopes to receive such a grant bears the responsibility of ensuring that the Section 106 process is completed, usually before the project begins. Consequently, all references to the "delegatee" specifically refer to those local governments legally delegated by HUD for certain HUD programs. The following discussion refers to certain responsibilities of the Federal agency or its delegatee.

STEP 1: INITIATING THE SECTION 106 REVIEW PROCESS

The Federal agency or its delegatee must determine whether the proposed action is an undertaking as defined in 36 C.F.R. 800.16(y), and, if so, whether it is a type of activity that has the potential to cause effects on historic properties 36 C.F.R. § 800.3. If the Federal agency or its delegatee has determined that the undertaking is the type of activity that has the potential to cause effects on historic properties, then the Federal agency or its delegatee needs take steps to involve the public and identify the appropriate officers who need to be involved in the process.

"Consulting parties," where appropriate, must be invited by the Federal agency or its delegatee to participate in the consultation process. It is the Federal agency or its delegatee's responsibility, in consultation with the SHPO, to identify consulting parties and formally grant specific parties the ability to participate in consultation at the beginning of the review process. The SHPO automatically participates in consultation and special invitation is not needed.

An initial submission to the SHPO should include a letter from the Federal agency or its delegatee identify the contact names and addressed of consulting parties, if any, who have been invited and authorized by the Federal agency or its delegatee to participate in consultation. If no additional consulting parties will be participating, then provide a brief explanation of why (i.e. the nature or scope of the project, a written or lack of reply to an invitation by a designated time, etc.) Be advised that the naming of consulting parties at the beginning of the review process *does not preclude* the invitation of additional consulting parties once the review process has been initiated. Applicants for Federal assistance, permits, licenses or other approvals are entitled to participate as consulting parties as long as they are invited to do so. Ultimately, the Federal agency or its delegatee has the role of deciding who may participate as consulting parties. *Moreover, the SHPO may consult with an applicant other than a formal delegatee acting in the place of the Federal agency, only where the applicant has received express, written authorization from the Federal agency or delegatee and a copy of the authorization document has been provided to the SHPO.*

STEP 2: IDENTIFYING HISTORIC RESOURCES

The current regulations set forth that the Federal agency or its delegatee "shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey" (36 C.F.R. § 800.4 [b][1]). Although this step remains largely unchanged from the former regulations, recent modifications include a greater emphasis upon the documentation of the steps that must be followed by the Federal agency or its delegatee to identify historic resources and specific flexibility measures for the Federal agency or its delegatee to carry out the identification process. It is important to gather information for the evaluation of all resources within the area of potential effects (see definition below), especially those resources that will be affected. The Federal agency or its delegatee is entitled to enlist the services of consultant to assist with the identification process. However, a *consultant must have received express, written authorization from the Federal agency or its delegatee to act on its behalf to gather historic information and a copy of the authorization document must have been submitted to the SHPO prior to or at the commencement of consultation.*

Determining the scope of identification efforts through the area of potential effects

The Federal agency or its delegatee also needs to determine the *area of potential effects*, which means the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist. The scale and nature of an undertaking help to determine the appropriate boundaries of the *area of potential effects*. It is especially important to note that the area of potential effects *is not influenced by the pre-existing awareness of historic or non-historic resources*. Defining the area of potential effects is the first step for determining the scope of identification efforts, and needs to be established before one begins to seek information to assess the potential historic properties. Although defining the area of potential effects was part of the former review process, it often went unspoken or unwritten unless a memorandum of agreement was prepared. To define the area of potential effects, one must take into account effects that are *direct or indirect, cumulative, later in time, or at a distance*. Once a good faith effort has been made to define the area of potential effects, then it is necessary to consult with the Indiana SHPO. The Federal agency or its delegatee is also entitled to enlist the services of an authorized consultant to assist in this step.

Evaluating historic resources

Below, we have listed some of the most heavily used sources to help the Federal agency, its delegatee, or the authorized consulting parties evaluate historic resources:

- a) The National Park Service (NPS) maintains a database list of all those properties that are currently listed in the National Register of Historic Places. This information is accessible through the NPS website (www2.cr.nps.gov/nr/).
- b) The NPS's *National Register Criteria for Evaluation* are used for considering whether a property is eligible for inclusion in the National Register. The criteria are found in the publication entitled National Register Bulletin 15, which may be obtained by writing to the National Register of Historic Places, National Park Service, U.S. Department of Interior, Post Office Box 37127, Washington D.C. 20013-7121.
- c) About two-thirds of the counties in Indiana have been surveyed to identify potential historic buildings, structures, objects, and districts. Furthermore, the results of the most of the surveys have been published in Interim Reports. Although some of the Interim Reports are available for purchase through the Historic Landmarks Foundation of Indiana at (317) 639-4534, others are out of circulation. However, all of them can be found at the Indiana State Library. Also, many of the Interim Reports can be found at local libraries and historical organizations.
- d) Historic preservation organizations and county historians may also have historical information on a particular resource or area. For a list of contact names, addresses, and telephone numbers, please check the website of the Indiana Historical Society (www.indianahistory.org).
- e) Other sources that might be useful for identifying potential historic or archaeological resources include: Sanborn maps (available for reference at the main library of Ball State University or the Geography Library at Indiana University), U.S. Geological Survey maps, old atlases, census information, local, county or regional histories and prehistories, and other records indicating previous land use.

Documenting findings

After evaluating the historical significance of the properties within the area of potential effects, the Federal agency or its delegatee is supposed to provide documentation of its determination and findings to parties specified in the Federal regulations *and* ensure that a determination, finding or agreement is supported by sufficient documentation to enable any reviewing parties to understand its basis pursuant to 36 C.F.R. § 800.11(a).

No historic properties affected

In the event that the Federal agency or its delegatee finds that *no historic properties will be affected*, then the Federal agency or its delegatee shall:

- a) Notify SHPO of its findings and provide SHPO with *required* documentation pursuant to 36 C.F.R. § 800.11(d).
 - 1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;
 - 2) A description of the steps taken to identify historic properties, including as appropriate, efforts to seek information; and
 - 3) The basis for determining that no historic properties are present or affected.
- b) Notify all consulting parties of the finding and make the above documentation available for public inspection.

Historic properties affected

In the event that the Federal agency or its delegatee finds that there are *historic properties which may be affected* by the undertaking, or the SHPO disagrees with a finding that no historic properties will be affected, then the Federal agency or its delegatee shall:

- a) Notify all consulting parties and invite their views on the effects
- b) Proceed with the assessment of adverse effects

STEP 3: ASSESSING EFFECTS ON HISTORIC RESOURCES

If the Federal agency or its delegate finds that there are historic resources within the area of potential effects that *may be affected*, then the Federal agency or its delegate is responsible for applying the criteria of adverse effect for those properties in consultation with the SHPO and other consulting parties. The Federal regulations state that an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of an historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Examples of adverse effects are found at 36 C.F.R. § 800. 5(a)(2).

Finding of no adverse effect

If the Federal agency or its delegatee proposes a finding of no adverse effect and there is agreement, then it shall notify the SHPO, all consulting parties, and the general public of its findings, provide the SHPO and all consulting parties with supporting documentation pursuant to 36 C.F.R. § 800.11(e), make supporting documentation on the finding available to the general public upon request, and maintain a record of the finding. The supporting documentation is recorded below:

Summary of documentation requirements for historic properties affected:

- 1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;
- 2) A description of the steps taken to identify historic properties;
- 3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;
- 4) A description of the undertaking's effects on historic properties;
- 5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize, or mitigate adverse effects; and
- 6) Copies of summaries of any views provided by consulting parties and the public.

Finding of Adverse Effect

If the Federal agency or its delegatee proposes a finding of adverse effect, then the Federal agency or its delegatee shall proceed to resolve the adverse effects.

STEP 4: RESOLVING ADVERSE EFFECTS

When the Federal agency or its delegatee proposes a finding of adverse effect, then the Federal agency or its delegatee shall:

- a) Continue consultation to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties pursuant to 36 C.F.R. § 800.6.
- b) Notify the Council of the finding, provide the Council with documentation specified under 36 C.F.R. § 800.11(e), and, where applicable, invite the Council to participate in consultation.
- c) Assuming there is agreement, execute a memorandum of agreement (MOA) that establishes how the adverse effects will be resolved, and ask the SHPO, and any invited signatories or concurring parties to sign the MOA.
- d) Provide a copy of the executed MOA to the Council.

SUMMARY

The best way to reduce the time needed for Section 106 review is for the Federal agency or its delegatee and the applicants for funding or licensing to plan their projects so as to avoid adverse effects on historic properties. This can be done if the Federal agency or its delegatee its applicant identify all historic properties or important archaeological sites at the beginning of project planning, use The Secretary of the Interior's Standards for Historic Preservation Projects as a guide to designing project that will affect historic properties, and contact the SHPO before reaching any final decisions on project design.

Questions should be directed to the Division of Historic Preservation and Archaeology ("DHPA") at (317) 232-1646 or by writing to the DHPA at the Indiana Department of Natural Resources, 402 West Washington Street, Room W274, Indianapolis, Indiana 46204.

Useful Resources for Section 106 Reviews
(Last Updated August 13, 2002 - i:\enreview\administ\handouts)

WEBSITES:

- www.achp.gov** - Website for the Advisory Council on Historic Preservation. The Advisory Council on Historic Preservation is the major policy advisor to the Government in the field of Historic Preservation. They also oversee the implementation of the Section 106 regulations. The Section 106 regulations (36 C.F.R. Part 800) can also be referenced on this website.
- www.cr.nps.gov/nr/** - Website for the National Register of Historic Places. This website not only gives general information on the National Register program, but allows one to search the National Register database by state and county for a list of all resources listed in a particular county.
- www.indianahistory.org** - Website for the Indiana Historical Society. The Indiana Historical Society's website provides information on the programs and services of the organization. It also contains lists of many local preservation organizations in Indiana sorted by county as well as a list of the county historians.
- www2.cr.nps.gov/tps/briefs/presbhom.htm** - Website for the *Preservation Briefs*. The *Preservation Briefs* provide technical assistance on various aspects of building rehabilitation as well as other related preservation topics.
- www2.cr.nps.gov/tps/standards/** - Website for the *Secretary of Interior Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.
- www2.cr.nps.gov/tps/care** - This new website, which is part of the National Park Service's Heritage Preservation Services, is devoted to all aspects of caring for historic buildings. One useful feature is a couple of interactive rehabilitation case studies that allow one to apply the *Secretary of the Interior's Standards for Rehabilitation*. The *Secretary's Standards* can be referenced at **www2.cr.nps.gov/tps/tax/rehabstandards.htm**.
- www.state.in.us/dnr/historic/index.htm** - Website for the Indiana Division of Historic Preservation and Archaeology. It gives information on the various programs offered by our office along with information on the various sections of the office. NOTE: The Section 106 information is currently out of date, but will hopefully be updated in the near future.
- terraserver.microsoft.com** - This website provides access to quad maps and aerial photographs for the United States. Some of the aerial maps on the website were taken as recently as 1998, which provides up to date information on where buildings exist in close proximity to project areas. NOTE: There is no "www" in this website address.
- www.historiclandmarks.org** - Website for Historic Landmarks Foundation of Indiana ("HLFI"). HLFI is the largest statewide non-profit preservation organization in Indiana. HLFI can provide information on interim reports, and the regional offices may be able to provide historical information for a particular area in their vicinity.

www.doi.gov/bia/tribes/entry.html - The Bureau of Indian Affairs can provide information on any Native American tribes that may have a vested interest in your project area. This website provides a list of federally recognized tribes. A list of Tribal Historic Preservation Officers (THPO's) can be found on the Advisory Council's website at www.achp.gov/thpo.html.

www.cr.nps.gov/nr/listing.htm - This website provides you with information on applying the National Register Criteria. By clicking on How to Apply the National Register Criteria text on the last page, you will find the information that is printed in *Bulletin 15, Applying the National Register Criteria for Evaluation*.

www.cast.uark.edu/other/nps/nacd/nacd.html - Website for the Native American Consultation Database. This website contains contact names and addresses of Native American groups.

OTHER USEFUL RESOURCES:

Interim Reports - The Interim Reports provide surveys of historic buildings, structures, districts, and objects for various Indiana counties. Copies of Interim Reports are usually available at local historical societies and public libraries. A complete set can also be found at the Indiana State Library in Indianapolis. Furthermore, copies of many Interim Reports can also be purchased from Historic Landmarks Foundation of Indiana [340 West Michigan Street, Indianapolis, Indiana 46202, (317) 639-4534, www.historiclandmarks.org]. Please refer to the attached list of counties that have been surveyed.

Historical Societies and County Historians - Local historical societies and county historians can provide additional information on the history of a particular area. Furthermore, they may possess county histories and historical atlases, which are good resources for historical documentation. NOTE: Most historical societies and county historians are not familiar with the Section 106 process and do not have the knowledge to make determinations of eligibility for potential historic resources or make determinations of effect.

National Register Bulletins - The National Register Bulletins provide information on various aspects of the National Register program. Of particular interest is *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, which is useful in helping to determine whether or not a property is eligible for inclusion in the National Register.

Contact Information for the Indiana Division of Historic Preservation and Archaeology:

Mailing Address: Division of Historic Preservation and Archaeology
Indiana Department of Natural Resources
402 West Washington Street, W274
Indianapolis, Indiana 46204

Phone Number: (317) 232-1646

E-mail: dhpa@dnr.state.in.us

Our Staff:

Jon Smith, Director
Shelia Griffin, Administrative Assistant

Archaeologists:

Dr. Rick Jones, State Archaeologist
Jim Mohow, Staff Archaeologist
William Mangold, Staff Archaeologist

Amy Johnson, Mining, Staff Archaeologist

Historic Structures Reviewers:

John Carr, Chief, Historic Structures Review
Michelle Daleiden-Fischer, Senior Structures Reviewer
Karie Brudis, Structures Reviewer

Federal and State Tax Credits:

Dave Duvall, Historical Architect

Survey and Registration:

Frank Hurdis, Chief, Survey and Registration
Paul Diebold, Architectural Historian
Amy Walker, National Register Assistant

Grants:

Steve Kennedy, Grants Manager
Malia Savarino, Assistant Grants Manager

Clerical:

Sue Judy, Secretary

Other:

Jeannie Regan-Dinius, Cemetery Registry Coordinator

Counties surveyed by Historic Landmarks Foundation or other organizations

ALLEN (City of Fort Wayne)
BARTHOLOMEW
BOONE
BROWN
CARROLL
CASS
CLARK
CLAY
CLINTON
DAVIESS
DEARBORN
DECATUR
DELAWARE
DUBOIS
ELKHART
FAYETTE
FLOYD
FOUNTAIN
FRANKLIN
FULTON
GIBSON
GRANT
GREENE
HAMILTON
HANCOCK
HARRISON
HENDRICKS
HENRY
HUNTINGTON
JACKSON
JAY
JEFFERSON
JENNINGS
JOHNSON
KNOX
KOSCIUSKO
LAKE
LAPORTE
LAWRENCE
MADISON

MARION
CENTER TOWNSHIP
DECATUR TOWNSHIP
FRANKLIN TOWNSHIP
LAWRENCE TOWNSHIP
PERRY TOWNSHIP
PIKE TOWNSHIP
WARREN TOWNSHIP
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MONROE
MONTGOMERY
MORGAN
NOBLE
OHIO
OWEN
PARKE
PERRY
PORTER
POSEY
PUTNAM
RANDOLPH
RIPLEY
RUSH
ST. JOSEPH
SHELBY
SPENCER
SULLIVAN
SWITZERLAND
TIPPECANOE
VANDERBURGH
VERMILLION
VIGO
WABASH
WARRICK
WAYNE
WELLS
WHITE
WHITLEY

Introduction to Section

1006

Review

Participant's Course Book

A two-day training course jointly sponsored by the

Advisory Council on Historic Preservation

1100 Pennsylvania Ave., NW, Room 809

Washington, DC 20004

(202) 606-8505

www.achp.gov

and

University of Nevada, Reno

College of Extended Studies

Continuing and Distance Education/048

Reno, NV 89557

(775) 784-4046

www.dce.unr.edu/hrm

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JANUARY 2000

Determining an undertaking's area of potential effects

The agency's first step in establishing the scope of needed identification efforts is to determine the undertaking's area of potential effects. This is done in consultation with the SHPO/THPO. [36 CFR §800.4(a)(1)] The area of potential effects (APE) is defined as:

... the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking. [36 CFR § 800.16(d)]

If there is disagreement concerning the extent of the APE, the consulting parties may seek guidance and assistance from the Council. Also, the Council can elect to issue an advisory comment to the agency on its APE determination. [36 CFR § 800.9(a)] If this occurs, the agency has to consider the views of the Council in reaching a final decision regarding the boundaries of the APE.

Points to remember. When defining an area of potential effects (APE), agencies need to remember that:

1. The APE is defined before identification begins, when it may not yet be known whether any historic properties actually are within the APE. To determine an APE, it is not necessary to know whether any historic properties exist in the area.
2. An APE is not determined on the basis of land ownership.
3. The APE should include:
 - all alternative locations for all elements of the undertaking;
 - all locations where the undertaking may result in disturbance of the ground;
 - all locations from which elements of the undertaking (e.g., structures or land disturbance) may be visible or audible;
 - all locations where the activity may result in changes in traffic patterns, land use, public access, etc.; and
 - all areas where there may be indirect as well as direct effects.
4. An APE need not be a single area and need not always have hard and fast boundaries. There may be different APEs for

different effects of an undertaking. Revising project plans may also lead to revising APE boundaries.

5. Determining an APE does not mean that any historic properties within its boundaries must be preserved. They will, however, have to be taken into account during the review process.

The agency is required to document its determination of the APE. [36 CFR §800.4(a)(1)] The general standard for documenting determinations, including the APE, is that the determination be "supported by sufficient documentation to enable any reviewing parties to understand its basis." [36 CFR §800.11(a)] The agency should use appropriate graphic materials to illustrate the APE, so that the Council, the SHPO/THPO, another consulting party or a member of the public could readily comprehend its scope.

Gathering existing information

The agency should next ascertain what information is already known about properties in the APE. This should include both reviewing known information and conferring with consulting parties and members of the public who might have knowledge of resources in the area and concerns regarding the undertaking's potential impacts on historic properties. [36 CFR §800.4(a)(2-3)]

The regulations specifically require that the agency seek information from Indian tribes and Native Hawaiian organizations about properties that may be of religious and cultural significance to them. However, because of the nature of the properties in question, these groups may not wish to divulge information about such properties. Such properties may have spiritual or sacred values for those who ascribe significance to them, or may be used in ongoing cultural activities that may not be readily shared with outsiders. Thus, it may be strongly desired that both the nature and the precise location of the property be kept secret. Agencies should work with Indian tribes and Native Hawaiian organizations to address such confidentiality concerns. [36 CFR §800.4(a)(4)]

Advisory Council on Historic Preservation**Section 106 Regulations Users Guide
Regulations Summary**

Introduction

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by the Council. These regulations, "Protection of Historic Properties" (36 CFR Part 800), became effective June 17, 1999, and are summarized below.

Initiate Section 106 process

The responsible Federal agency first determines whether it has an undertaking that could affect historic properties, which are properties that are included in the National Register of Historic Places or that meet the criteria for the National Register. If so, it must identify the appropriate State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO) to consult with during the process. It should also plan to involve the public, and identify other potential consulting parties. If it determines that it has no undertaking, or that its undertaking has no potential to affect historic properties, the agency has no further Section 106 obligations.

Identify historic properties

If the agency's undertaking could affect historic properties, the agency determines the scope of appropriate identification efforts and then proceeds to identify historic properties in the area of potential effects. The agency reviews background information, consults with the SHPO/THPO and others, seeks information from knowledgeable parties, and conducts additional studies as necessary. Districts, sites, buildings, structures, and objects listed in the National Register are considered; unlisted properties are evaluated against the National Park Service's published criteria, in consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that may attach religious or cultural importance to them.

If questions arise about the eligibility of a given property, the agency may seek a formal determination of eligibility from the National Park Service. Section 106 review gives equal consideration to properties that have already been included in the National Register as well as those that meet National Register criteria.

If the agency finds that no historic properties are present or affected, it provides documentation to the SHPO/THPO and, barring any objection in 30 days, proceeds with its undertaking.

If the agency finds that historic properties are present, it proceeds to assess possible adverse effects.

Assess adverse effects

The agency, in consultation with the SHPO/THPO, makes an assessment of adverse effects on the

identified historic properties based on criteria found in the Council's regulations.

If they agree that there will be no adverse effect, the agency proceeds with the undertaking and any agreed-upon conditions.

If the parties cannot agree or they find that there is an adverse effect, the agency begins consultation to identify ways to avoid, minimize, or mitigate adverse effects.

Resolve adverse effects

The agency consults with the SHPO/THPO and others, who may include Indian tribes and Native Hawaiian organizations, local governments, permit or license applicants, and members of the public. The Council may participate in consultation when there are substantial impacts to important historic properties, when a case presents important questions of policy or interpretation, when there is a potential for procedural problems, or when there are issues of concern to Indian tribes or Native Hawaiian organizations.

Consultation usually results in a Memorandum of Agreement (MOA), which outlines agreed-upon measures that the agency will take to avoid, minimize, or mitigate the adverse effects. In some cases, the consulting parties may agree that no such measures are possible, but that the adverse effects must be accepted in the public interest.

Implementation

If an MOA is executed, the agency proceeds with its undertaking under the terms of the MOA.

Failure to resolve adverse effects

If consultation proves unproductive, the agency or the SHPO/THPO, or the Council itself, may terminate consultation. If a SHPO terminates consultation, the agency and the Council may conclude an MOA without SHPO involvement. However, if a THPO terminates consultation and the undertaking is on or affecting historic properties on tribal lands, the Council must provide its comments. The agency must submit appropriate documentation to the Council and request the Council's written comments. The agency head must take into account the Council's written comments in deciding how to proceed.

Tribes, Native Hawaiians, and the public

Public involvement is a key ingredient in successful Section 106 consultation, and the views of the public should be solicited and considered throughout the process.

The regulations also place major emphasis on consultation with Indian tribes and Native Hawaiian organizations, in keeping with the 1992 amendments to NHPA. Consultation with an Indian tribe must respect tribal sovereignty and the government-to-government relationship between the Federal Government and Indian tribes. Even if an Indian tribe has not been certified by NPS to have a THPO who can act for the SHPO on its lands, it must be consulted about undertakings on or affecting its lands on the same basis and in addition to the SHPO.



HISTORIC
LANDMARKS
FOUNDATION OF
INDIANA

Northern Regional Office
914 Lincolnway West
South Bend, IN 46616
574 232 4534
Fax: 574 232 5549

April 16, 2002

Bernardin, Lochmueller and Associates
6200 Vogel Road
Evansville, IN 47715

Re: U.S. 31 corridor project

Dear sirs,

Please add our name as a consulting party to the U.S. 31 corridor project study. We would like to be included in the earliest phases of this project. We may be contacted at the phone, email and address above.

Thank you.

Sincerely,



Todd A. Zeiger
Director, Northern Regional Office

RECEIVED

APR 19 2002

BLA

General



County of St. Joseph, Indiana
BOARD OF COMMISSIONERS
227 W. Jefferson
SOUTH BEND, INDIANA 46601

MEMBERS

Mark A. Dobson
President
David L. Niezgodski
Vice President
Cynthia A. Bodle
Member
574-235-9534
Fax: 574-235-7849

January 26, 2004

JAN 28 2004

Mr. Carl Camacho, P.E.
Bernardin & Lochmueller Associates, Inc.
7830 Rockville Road
Indianapolis, IN 46214

Dear Carl:

Although I understand the final decisions on the U.S. 31 Project ultimately will lie with INDOT, I find it necessary to address some resident concerns, which have come to my attention. I have enclosed a sampling of these concerns.

Specifically residents within the Whispering Hills subdivision are very concerned that Project Alternates C1, C2, and E2 would severely impact their subdivision and several other neighborhoods immediately within this vicinity.

All told, more that 300 households comprise this area. These residents are concerned that any proposal which would affect the neighborhoods immediately to the west of current U.S. 31 between the U.S. 20 Bypass and Kern road would serve as a detriment to their neighborhoods and their well being.

I would appreciate very much if you would give much consideration to the concerns of these residents. I realize that ultimately when a final choice is made that this choice will have impact upon someone. However, without the interest of concerned residents the best and final decision to be made would be lacking all necessary information.

I would also appreciate it very much if you would forward this letter of concern to all pertinent parties. If you would like to contact me by e-mail my address is as follows:
pag@co.st-joseph.in.us.

Sincerely,

David L. Niezgodski
2nd District St. Joseph County Commissioner

Enclosures

December 18, 2003

Mr. Carl Camacho
Project Engineer
Bernardin, Lochmueller & Associates, Inc.
6200 Vogel Road
Evansville, IN 47715
Via Fax: 812-479-6262

Re: U.S. 31 Plymouth to South Bend

Dear Carl,

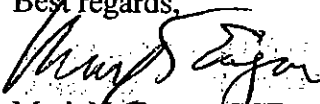
The Indiana Department of Transportation (INDOT) and Bernardin, Lochmueller & Associates, Inc. released yesterday modifications to the preliminary alternatives for US 31 improvement from Plymouth to South Bend. These preliminary alternatives and screenings have identified routes that best meet the purpose and needs and the social and environmental measures required under the FHWA rules.

In addition to the conditions required under the FHWA rules, as President of The Chamber of Commerce of St. Joseph County, we respectfully request that consideration be given to the economic impact on the local economy. We feel that use of the existing US 31 corridor would adversely impact existing businesses, the associated tax base, and future development planned in this area. The U.S. 31 corridor represents significant growth potential for commercial development in the next decade and ties directly to major commercial projects on the adjacent Ireland Road.

Termination of the U.S. 31 expressway at the U.S. 20 Bypass should be located as proposed in Alternative C. Further, to provide the greatest economic certainty for property owners we strongly recommend that only one alternative be included in the draft submitted to the FHWA. The alternative using the existing U.S. 31 corridor should be eliminated from further consideration in the draft.

We look forward to working with you on moving this project forward into the design phase in 2004.

Best regards,


Mark N. Egan, CCE
President & CEO

The Commerce Center
401 E. Colfax Ave., Suite 310
P.O. Box 1677
South Bend, IN 46634-1677

Phone: 574.234.0051
Fax: 574.289.0358
www.sjchamber.org

TOWN OF LAPAZ
BOX 820 LAPAZ, INDIANA 46537

RECEIVED
DEC 18 2003
ELA

574-784-3491 PHONE

574-784-8738 FAX

ALTERNATIVE C.E.F. HAS BEEN THE CHOICE OF ROUTES THAT WILL HAVE THE MOST POSITIVE IMPACT IN OUR COMMUNITY, THIS INCLUDES THE TOWN OF LAPAZ AND NORTH TOWNSHIP FIRE AND AMBULANCE SERVICE AND POLICE DEPARTMENTS.

WE WOULD LIKE TO SEE CONTINUED SERVICE USE OF FIRST ROAD, MARSHALL COUNTY BECAUSE IT PROVIDES THE BEST EMERGENCY MANAGEMENT ACCESS TO OUR NORTH EAST SECTOR THAT SERVICES LAPAZ EMERGENCY, FIRE, AMBULANCE AND POLICE. FIRST ROAD IS THE BEST AND ONLY DIRECT ROAD TO 331, BESIDE U.S.6, THIS WOULD COVER THE ROUTE TO BREMEN HOSPITAL, TOWN OF BREMEN AND ST. JOE HOSPITAL IN MISHAWAKA. ANOTHER EMERGENCY CONSIDERATION IS FIRST ROAD IS THE ONLY ROAD THAT DOES NOT CROSS THE RAILROAD, IN CASES OF EMERGENCY IT IS A THROUGH ROAD AND A FAIRLY GOOD ROAD CONSIDERING THE OTHER ROADS THAT CROSS WOULD HAVE TO DEAL WITH THE RAIL ROAD TRACKS AND THERE ARE TIMES THE TRAINS WAIT ON THOSE TRACKS AND HOLD UP THE CROSS ROAD TRAFFIC.

FOR FUTURE GROWTH THE TOWN OF LAPAZ RECOMMEND'S A FULL CLOVER LEAF, NOT ONLY FOR EMERGENCY EQUIPMENT BUT FOR THE FACT THAT THERE ARE SO MANY MOBILE HOMES, SEMI TRUCKS, AND AUTOMOBILES TRAVELING US 6, THE IMPACT OF THAT TRAFFIC GOING OFF AND ENTERING US 31 WILL BE IMMENSE, IF THEY HAVE TO STOP AT A DIAMOND INTERSECTION IT COULD HOLD UP TRAFFIC AND WE NEED TO GET TRAFFIC MOVING ONTO THE NEW HIGHWAY.

WE WOULD LIKE SOME INFORMATION ON 4A ROAD AND US 31, WE WOULD LIKE TO KNOW HOW THAT SECTION OF ROAD WILL BE TAKEN CARE OF? OUR EMERGENCY VEHICLE DRIVERS ARE CONCERNED WITH HOW THEY WILL SERVICE THE TOWNSHIP EAST OF THAT POINT? WE WOULD ALSO RECOMMEND A INTERCHANGE IN

THE AREA OF 6TH OR 7TH ROAD AS PROPOSED BY PLYMOUTH AND MARSHALL COUNTY, THIS IS A IDEA WE ENDORSE.

THE ECONOMIC AND SOCIAL IMPACT OF THIS HIGHWAY DEVELOPMENT COULD HAVE SUCH A IMPACT ON OUR COMMUNITY; THE GROWTH COULD BE SUCH A BENEFIT TO OUR COMMUNITY.

WE APPRECIATED MR. CARL CAMACHO FOR COMING TO THE TOWN OF LAPAZ AND EXPLAINING TO THE TOWN THE SITUATION WE HAVE AND HELPED US IN LOOKING AT SOME OF THESE SITUATIONS.

THANK YOU THE TOWN OF LAPAZ, NORTH TOWNSHIP, FIRE DEPT. UNION NORTH AMBULANCE SERVICE AND LAPAZ POLICE DEPT.

Jane Harris - Clerk - Treasurer

Edgar J. Clyter - President

Donella J. Emmons - Board member

Linda K. Tyler - Board member

Wayne Hummel - Town Marshal

Elma E. Kanya - North Sup. Trustee

Richard Cartwright - Union - North Amb. Serv.



SOUTH BEND COMMUNITY SCHOOL CORPORATION
635 SOUTH MAIN STREET SOUTH BEND, INDIANA 46601

03 December 2003

Carl D. Camacho, P. E.
Project Manager
Bernardin, Lochmueller & Associates, Inc.
6200 Vogel Road
Evansville, Indiana 47715-4006

By Fax and First Class Mail

SUBJ: US31 - Plymouth to South Bend Study
BLA Project No.: 201-0101-OHY/HY51

Dear Mr. Camacho:

As requested, the following information pertaining to the South Bend Community School Corporation (SBCSC) is provided to assist you as you continue working on subject project, US-31...

A map showing the locations of SBCSC school buildings is provided at attachment (1). School buildings that might be impacted by subject project have been highlighted in yellow. No new school buildings are planned as of this date. Based on development trends that exist in the South Bend area, I anticipate that sometime in the future, the SBCSC might consider the construction of a new school in the northwest sector of the SBCSC area. Subject project will not interfere in the placement of this building.

Current capacity and enrollment figures for the four school buildings, highlighted in attachment (1) follow:

School	Function	2003 Capacity	2003 Enrollment
Hamilton Primary Grades	K - 4	357	338
Hay Primary Grades	K - 4	558	427
Greene Intermediate Grades	5 - 8	850	574
Jackson Intermediate Grades	5 - 8	1,325	769

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DEC - 8 2003

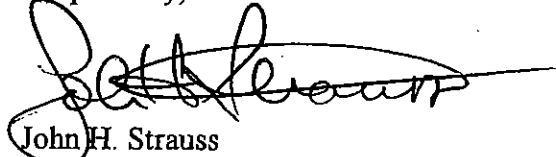
BLA

After preliminary discussions of subject project with the SBCSC transportation department, I anticipate there will be no more than minimal impact on bus transportation routes, no matter which alternative is selected for the future US-31. Based on information which I received during a previous US-31 planning meeting, there will be sufficient east-west traffic routes - across the future US-31 - to satisfy the busing requirements of the SBCSC.

If you need additional information or input, please feel free to call me at 574-283-8002.

I wish you continued success on this much needed and vital effort.

Respectfully,

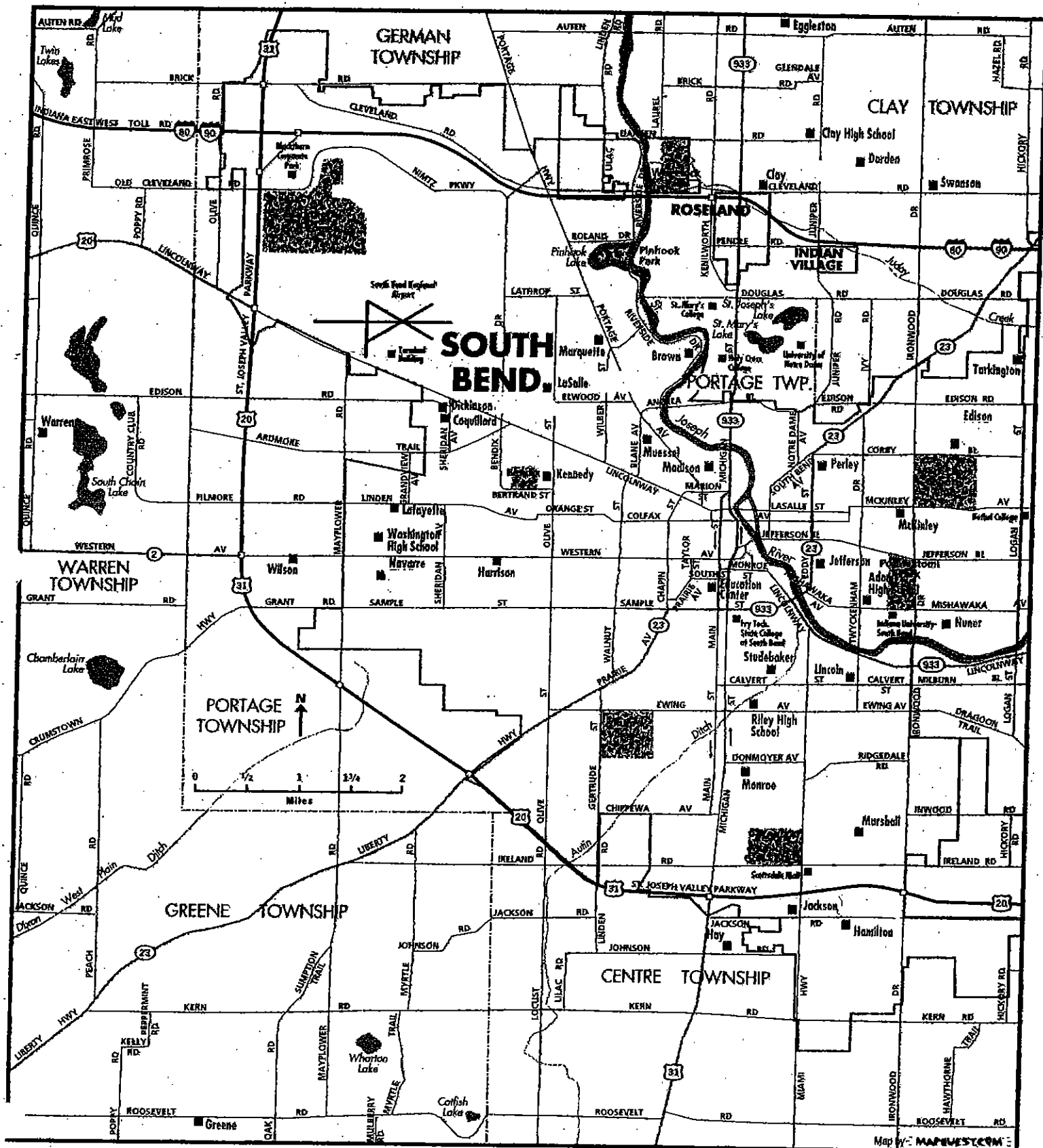
A handwritten signature in black ink, appearing to read "John H. Strauss", written over a horizontal line.

John H. Strauss
Assistant Superintendent
Facilities Management

Attachment: (1) Map of South Bend Community Schools

Copy to: James Mosley, Bernadin, Lochmueller, & Associates, Inc.
Judith Dahlstrom, Director of Transportation, SBCSC

SOUTH BEND COMMUNITY SCHOOLS



December 2, 2004

Mr. Carl Camacho
Bernardin-Lockmueller & Associates, Inc.
7830 Rockville Road
Suite C
Indianapolis, IN 46214

Dear Mr. Camacho:

Enclosed, please find the information that you requested for the Plymouth School Corporation.

Total student enrollment: 3356

Total bussed students: 3061

Total number of faculty: 200 (certified)
220 (non-certified)

If you have any questions, please feel free to contact me.

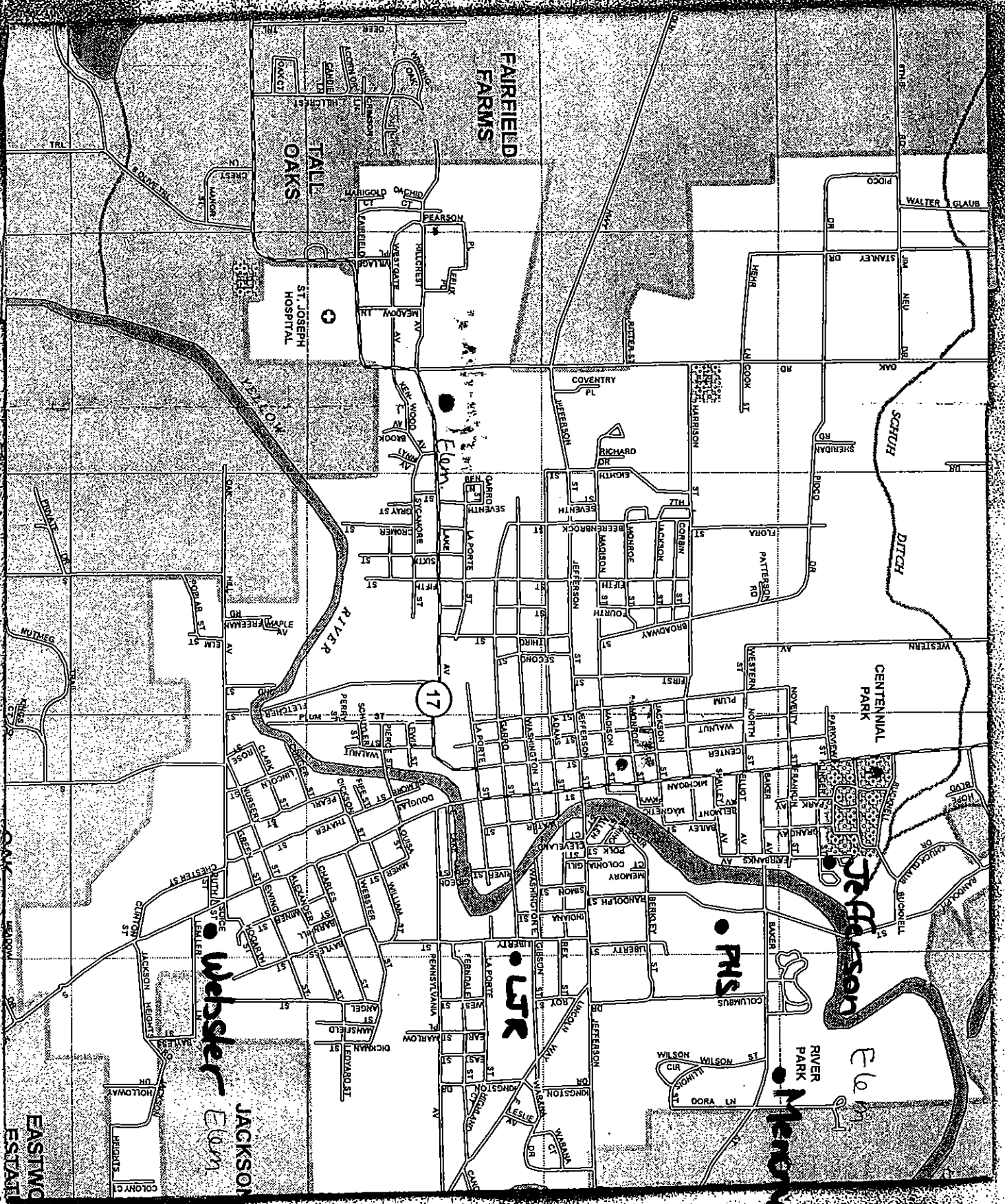
Sincerely,



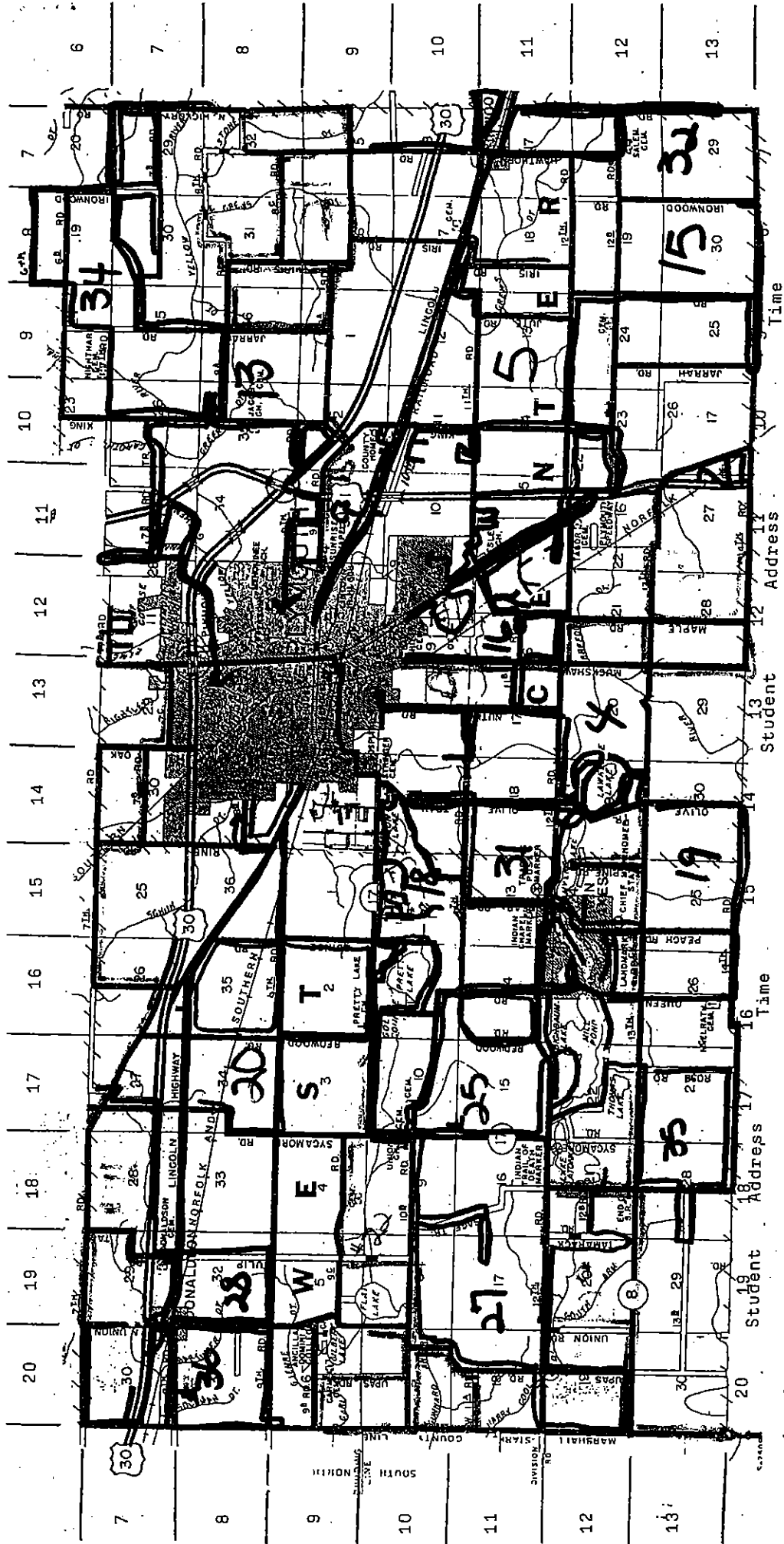
Rick S. Scott
Transportation Director

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DEC 05 2003
BLA-INDY

STW = St Michaels Elem
PHS = Plymouth High School
Plymouth School Corp.



Elmhurst
Memor



1st Stop _____ 2nd Stop _____ 3rd Stop _____ 4th Stop _____

Student Address _____ Time _____

1200 COUNTY-CITY BUILDING
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9371
FAX 574/ 235-9021
TDD 574/ 235-5567

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR
COMMUNITY & ECONOMIC DEVELOPMENT

September 2, 2003

Mr. Carl Camacho, P.E.
Project Engineer
Bernardin Lochmueller & Associates, Inc.
6200 Vogel Road
Evansville, IN 47715-4006

RE: South Side Development Area Information

Dear Mr. Camacho:

I appreciated the opportunity that you extended to Carl Littrell and myself on August 21, 2003, to talk with your planning group via conference call. As a part of that conversation, I indicated that I would be sending you some draft planning maps that should be incorporated into your reference materials.

Enclosed in this packet is a draft planning map that is being prepared by Lehman & Lehman, a local planning firm, to address land use and circulation issues within the Erskine Hills/South Side area or South Bend. The plan details some infrastructure improvements that we anticipate making as well as some proposed and future development sites along the Ireland Road Corridor. I have also included a site plan for the Erskine Village project located on the former site of Scottsdale Mall at the southeast corner of Ireland and Miami as well as for the proposed Erskine Crossings site located at the southwest corner of Ireland and Michigan. I have removed the store names from the Erskine Crossings site as they have not been formally announced and would not want to have the store names appear on any maps before they become official.

If you require any additional information about any of the development sites or any information relative to the South Side of South Bend, please feel free to contact me directly at (574) 235-5842 or by e-mail at bschall@ci.south-bend.in.us. Also, if there is any way that the City can take a proactive roll in this planning process, again, please contact me as I serve as the project area coordinator for the South Side Development Area.

Sincerely,

Bill Schalliol
Economic Development Planner

Enclosures

CC: Carl Littrell, City Engineer

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SEP - 5 2003

BLA

COMMUNITY DEVELOPMENT
PAMELA C. MEYER
574/235-9660
FAX: 574/235-9697

ECONOMIC DEVELOPMENT
DONALD E. INKS
574/235-9371

FINANCIAL & PROGRAM
MANAGEMENT
ELIZABETH LEONARD
574/235-9371



CITY OF MISHAWAKA

OFFICE OF THE MAYOR

ROBERT C. BEUTTER, MAYOR

March 20, 2002

Indiana Department of Transportation
Executive Offices
100 North Senate - Room N755
Indianapolis, IN 46204

RE: U.S. 31 Corridor

Dear Friends,

I am delighted that the Indiana Department of Transportation is holding a public hearing in the South Bend-Mishawaka area as part of the development of an interstate-quality highway in the U.S. 31 Corridor from US 20 in St. Joseph County to I-465 in Marion County. While I regret that it is impossible for me to attend this meeting, I ask that you include this letter in the record of that public hearing.

I hereby express my unequivocal and wholehearted support for this badly needed transportation upgrade. Efficient and safe travel on U.S. 31 is critical to the economic vitality of the many municipalities along the corridor, including Mishawaka and other communities in North Central Indiana. The current U.S. 31 connection between St. Joseph County and our state capital is inadequate, unsafe and inconvenient for the many Hoosiers and visitors who must use its narrow, congested and stoplight-filled lanes on a daily basis. St. Joseph and Marshall counties, especially at Lakeville and La Paz, contain some of the most dangerous intersections in Northern Indiana.

There are many, many good reasons why people want to live, work and raise their families in Indiana. It is important that all of us, at every level of government, work together to eliminate those problems that still exist and detract from that quality of life. The existing undersized, over-burdened out-dated, U.S. 31 roadway does not provide the level of safety and service that our citizens and businesses demand and deserve.

I urge the Indiana Department of Transportation to finalize a design and timetable that will lead to the construction and opening of an interstate-quality U.S. 31 from St. Joseph County to Marion County as quickly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert C. Beutter", is written over a large, stylized, handwritten "C" or "B" shape.

Robert C. Beutter

RCB/slls



The
Greater
Elkhart
Chamber
of Commerce

"Indiana's Community of the Year"

March 21, 2002

Re: U.S. Highway #31 from Indianapolis to South Bend: Testimony for public hearing.

Attached is a copy of The Greater Elkhart Chamber of Commerce Transportation Policy T-8, which encourages an expedited schedule for the improvement of U.S.#31 to an interstate-standard highway. I will read the policy into the record(read policy). In conclusion, I would like to note that this improvement has strong regional backing with solid support from all of the area Chambers and Governmental entities. By working together as a coalition we are much more effective in getting the project in front of the decision-makers. The US#31 Coalition under the leadership of Dennis Faulkenberg is making great progress in this regard. Thank you for the opportunity to offer this testimony.

Sincerely,

Greater Elkhart Chamber of Commerce Inc.
Philip E. Penn, President/CEO



(Adopted by Board 6-24-83)
(Revised by Board 3-23-84)
(Reaffirmed by Board 2-20-87)
(Reaffirmed by Board 3-16-90)
(Referred by Board to Transportation Council for updating, 11-19-94)
(Revised by Board 2-18-94)
(Revised by Board 2-20-98)
(Revised by Board 12-08-00)

T-7 Use of Indiana Toll Road Revenues

The Greater Elkhart Chamber of Commerce is opposed to any amendment in Indiana Law which would allow profits of the Northern Indiana Toll Road to be used to fund highway projects in parts of the State which are not a part of the Northern Indiana Toll Road corridor.

The Chamber favors implementation of legislation which allows revenues generated on the Toll Road to be used for development and improvement of feeder roads in Elkhart County that are inside the 10-mile Toll Road corridor.

Conversely, the Chamber is opposed to any effort to divert funds which would prevent the Elkhart area from receiving its fair share from other sources for further planned highway improvements.

(Adopted by Board 11-22-85)
(Reaffirmed by Board 2-20-87)
(Reaffirmed by Board 3-16-90)
(Reaffirmed by Board 11-19-93)
(Revised by Board 2-20-98)
(Reaffirmed by Board 12-08-00)

T-8 U.S.31 Improvements

U.S.31 is the primary transportation link between North central Indiana and Indianapolis. As these areas are the two largest economic engines in the state, it is essential that they be connected by an interstate grade highway. The Greater Elkhart Chamber of Commerce encourages all entities impacted by this corridor to join the efforts of the US-31 Coalition, Inc. to ensure that the many needed improvements to U.S.31 are expedited.

Because this will be a costly project, The Chamber encourages exploration of dedicated funding vehicles to expedite this construction. These may include, but are not limited to:

- Dedication of the additional revenue received from Indiana's fair share of Federal funds.
- Exploration of implementing a toll road.
- Increase in the State gasoline tax.
- State bond issue.

(Adopted by Board 2-20-98)

(Revised by Board 12-08-00)

T-9 Speed Limits

The Greater Elkhart Chamber of Commerce believes that, to keep pace with national transportation trends, the speed limits on limited access highways, such as the US 20 bypass, in the state of Indiana should be raised to 65 m.p.h. The trucks and automobiles that share these highways, should be allowed to travel at the same speed to reduce problems caused by short closing times between different modes of transportation.

(Adopted by Board 2-20-98)

(Reaffirmed by Board 12-08-00)

T-10 High-Speed Rail in Elkhart

As we enter the 21st century, high-speed rail offers an enhanced form of transportation throughout the Midwest. This modern technology promises rapid/relaxed travel, reduction in conventional traffic, and environmental improvement. Just a positioning on rivers, early rail lines, and the Interstate highway system have proven advantageous to the growth of our area, so will having an Elkhart station on the line between Chicago and Cleveland.

As the second largest economic engine in the state, it is essential that the Elkhart/South Bend area be an integral part of this new transportation system. Due to the continuing relationship of Elkhart's historical ties to the Chicago and Cleveland business communities, there will be a strong demand for high-speed rail in this area.

Subject: Freeway 67

Date: Mon, 1 Apr 2002 14:47:47 EST

From: MarkFunder@aol.com

To: JMarks@blainc-indy.com

CC: RClark@Indot.state.us, fobannon@state.in.us, jkernon@commerce.state.in.us, s5@ai.org, s8@ai.org, s9@ai.org, s10@ai.org, s11@ai.org, s12@ai.org, h5@ai.org, h6@ai.org, h7@ai.org, h8@ai.org, h17@ai.org, r20@ai.org, r21@ai.org, r22@ai.org, r48@ai.org, r49@ai.org, s41@ai.org, s23@ai.org, s47@ai.org, s45@ai.org, h61@ai.org, r88@ai.org, tim.roemer@mail.house.gov, senator@bayh.senate.gov, senate_lugar@lugar.senate.gov, sslowe@sbtinfo.com, consult@engtran.com

21166 Clover Hill Ct.
South Bend, IN 46614
April 1, 2002
574-291-0535
MarkFunder@aol.com

Jay Marks, Indianapolis Branch Manager
Bernardin, Lochmueller & Associates, Inc.
7830 Rockville Road, Suite C
Indianapolis, IN 46214-3105

Dear Mr. Marks:

The (U.S. 31) Freeway Coalition promotes the idea that local people should have a voice in determining what is best for their area.

I propose that the Freeway for North Central Indiana start at the intersection of the Indiana Toll Road and Capotital Avenue/Indiana331 and go directly south, joining U.S. 31 south of Rochester. This would be the shortest route from the Indiana Toll Road to Indianapolis. This route would be the most convenient for many cities and towns in this area which include South Bend, Mishawaka, Osceola, Elkhart, Bristol, Middlebury, Dunlap, Goshen, Syracuse, Nappanee, Bremen, Wakarusa, Warsaw, and Winona Lake. This eastern location would be the best for individuals, truckers, and the industry. The eastern location, also has two other advantages: (1) Would not disturb as many homes. (2) Would not go through as much wetlands and woodlands.

Considerable time and money could be saved by concentrating on the eastern location rather than exploring all the areas. I think there is enough evidence that the eastern location would be the best for the people in North Central Indiana.

We have had Freeways 65 and 69 for many years. There is a great need for Freeway 67 to go down the middle of the state from the Indiana Toll Road to Indianapolis. I urge you to proceed immediately on the plan for Freeway 67.

The north end of Freeway 67 is presently being worked on from the Indiana

Toll Road to the U.S. 20 Bypass. The 2nd segment could be to U.S. 6, the 3rd segment could be to U.S.30, and the 4th could be to U.S. 31 south of Rochester.

It is very important to plan for the long run so that every segment will be done in the most efficient way. That means the segment from the Indiana Toll Road to the U.S. 20 Bypass must be done with this in mind. We do not want another "Kokomo situation".

There is a high-voltage power line running parallel to Elm Road (Capital Avenue/Indiana 331) south of the U.S. 20 Bypass. I suggest that Freeway 67 be run next to the power lines. This would put two undesirables (with respect to how homes would be affected) together to minimize the down-side of them.

Thank you for your consideration.

Sincerely,

Mark Funderburg



City of Nappanee

300 West Lincoln Street
P.O. Box 29
Nappanee, IN 46550-0029

Office Phone
(219) 773-2112

Home Phone
(219) 773-4196

Office of
MAYOR

Larry L. Thompson

March 18, 2002

Dennis Faulkenberg
U.S. 31 Coalition, Inc.
One Indianapolis Square, Box 82001
Indianapolis, IN 46282

Dear Dennis:

I will be unable to attend the March 31, 2002, U.S. 31 meeting in Lakeville.

I would like to go on record in total support of the U.S. 31 project. My community is part of the 31 Coalition and feels strongly that we must have better access to Indianapolis.

The social-economic impact to Nappanee and the Elkhart – St. Joseph county area would be greatly enhanced by this U.S. 31 upgrade. The proposed improvements to interstate quality will allow our area and its economic impact to again be part of Indiana.

Thank you again for your efforts on our behalf. Nappanee needs and deserves better access to Indianapolis.

Sincerely,

Larry L. Thompson
Mayor

cc: Jim Dittoe

